

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**MAY 7, 2018**

1. City Council Meeting Agenda Only

Documents:

[CITY COUNCIL MEETING AGENDA 2018-05-07.PDF](#)

2. City Council Meeting Agenda And Packet

Documents:

[CITY COUNCIL MEETING AGENDA AND PACKET 2018-05-07.PDF](#)

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR. (A/L)

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**MAY 7, 2018**

The Portland City Council will hold a regular City Council Meeting at 5:30 p.m. in City Council Chambers, City Hall. The Honorable Ethan K. Strimling, Mayor, will preside.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**ANNOUNCEMENTS:**

**RECOGNITIONS:**

**Arts in the Chamber, Pihcintu Multicultural Choir Group**

**APPROVAL OF MINUTES OF PREVIOUS MEETING:**

(Tab 1) April 18, Draft 2018 Regular City Council Meeting Minutes

**PROCLAMATIONS:**

Proc 31-17/18 Proclamation Declaring May 19, 2018 Kids to Park Day – Sponsored  
(Tab 2) by Mayor Ethan K. Strimling,

Proc 32-17/18 Proclamation Honoring Ryan Luce, Health and Human Services  
(Tab 3) Department, Barron Center, as Employee of the Month for April 2018 –  
Sponsored by Mayor Ethan K. Strimling.

Proc 33-17/18 Proclamation Recognizing Pihcintu Multicultural Choir Group  
(Tab 4) – Sponsored by Councilor Pious Ali.

Proc 34-17/18 Proclamation Declaring May 2018 Revive Civility Month – Sponsored  
(Tab 5) by Mayor Ethan Strimling, Councilor Pious Ali, Councilor Jill C.  
Duson, Councilor Kimberly Cook, Councilor Belinda Ray, Councilor  
Spencer Thibodeau, Councilor Nicholas M. Mavodones, Jr., and  
Councilor Justin Costa.

**APPOINTMENTS:**

**CONSENT ITEMS:**

**LICENSES:**

**BUDGET ITEMS.**

**MAYOR STRIMILING WILL MAKE HIS REMARKS ON THE FY19 MUNICIPAL BUDGET.**

**PUBLIC COMMENT WILL BE TAKEN AT THIS COUNCIL MEETING ON ALL SCHOOL BUDGET ORDERS. ACTION ON THE SCHOOL BUDGET ORDERS WILL TAKE PLACE ON MAY 14, 2018 AT 5:30 P.M.**

**Order 200-17/18  
(Tab 5)**

**Order Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2019 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.**

Order 200-17/18 to Order 204-17/18 are orders required by 20-A M.R.S.A. §15690 in order to comply with what is known as LD1, a set of state laws passed to control increases in property taxes.

This order provides \$87,525,230 as the amount determined by state law to be the minimum amount the city must appropriate in order to receive the full amount of state funding under the Essential Programs and Services Funding Act.

This requires the city to raise \$70,198,565 as the city's contribution to the total cost of funding public education from K-12 as described in the EPS law. The City's Tax levy based on the budget submitted by the Portland Board of Public Education for the total for school budget programs of \$111,797,612 will be \$89,222,327.

This item must be read on two separate days. This is its first reading.

**Order 201-17/18  
(Tab 6)**

**Order Approving Non-State Funded School Construction Debt Service for Portland Schools for Fiscal Year 2019 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair.**

Non-state funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction projects and portions of school construction projects that are not approved for state funding. The bonding of this long-term debt was previously approved by the voters or the City Council.

This order appropriates \$597,496 for the annual payments on debt service previously approved by the voters or the City Council for non-state (local-only) funded school construction projects. The state no longer includes minor capital projects in this calculation.

The \$597,496 is in addition to the funds appropriated as the EPS required local share (amount of the city's contribution to the total cost of funding public education from kindergarten to grade 12).

This item must be read on two separate days. This is its first reading.

**Order 202-17/18  
(Tab 7)**

**Order Raising and Appropriating Additional Local Funds for Portland Schools for Fiscal Year 2019 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.**

This order appropriates \$16,729,169 in additional city funds over and above regional EPS amount and the non-state funded debt service amount.

This exceeds the EPS funding model by \$20,120,139 and funds the cost of city schools, Kindergarten-12, which are not covered by the state funding model established by the Essential Programs and Services Funding Act.

This item must be read on two separate days. This is its first reading.

**Order 203-17/18  
(Tab 8)**

**Order Approving Total School Operating Budget for Portland Schools for Fiscal Year 2019 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.**

This order is required by 20-A M.R.S.A. §15690(4)(A). It sets the School Budget required by state law. The total amount recommended for that budget is \$105,843,472.

That is the amount based on the budget submitted by the Portland Board of Public Education and would be sent to the voters for approval at a citywide Referendum Election on June 12, 2018. \$87,525,230 of the \$105,843,472 would come from property taxes, \$16,339,336 would come from state subsidy, and \$1,478,906 from other revenues. This amount may change as the Finance Committee will be voting on this budget on May 9, 2018.

This order does not provide money unless the other General Fund budget orders are passed.

This item must be read on two separate days. This is its first reading.

**Order 204-17/18  
(Tab 9)**

**Order Appropriating and Raising Funds for Adult Education for Fiscal Year 2019 as Required by the Maine Revised Statutes, Title 20-A M.R.S. §8603-A(1) – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.**

This order raises \$1,697,097 to support the Adult Education program and Food Service Program appropriates a budget for that program of \$2,391,137. The budgets for the Adult Education Program submitted by the Portland Board of Public Education are in addition to the \$105,843,472 proposed for the General Fund School Budget that must be submitted to the voters.

Under the City Charter, the Council must act on this school funding order, which is not part of the General Fund budget.

When the amounts for the Adult Education Program as submitted by the Portland Board of Public Education are added to the proposed General Fund School Budget, it leads to a total for FY2019 school budget programs of \$111,797,612.

The total school budget will come before the Council for approval as part of the annual Appropriation Resolve on May 21<sup>st</sup>.

This item must be read on two separate days. This is its first reading.

**COMMUNICATIONS:**

**RESOLUTIONS:**

**UNFINISHED BUSINESS:**

**Order 198-17/18      Traffic Schedule Amendment Re: Section of Fore Street to Two-Hour  
(Tab 10)              Parking – Sponsored by Jon P. Jennings, City Manager.**

Fore Street, between Waterville Street and St. Lawrence Street, is two-way with unrestricted parking on both sides of the street, except during weekly street cleaning events. The requested Council action would adjust the Traffic Schedule from unrestricted parking to 2-hour parking on the north side of this Fore Street block. This would impact six parking spaces.

The development and activity along Fore Street has intensified recently and people in the neighborhood have requested shorter term parking to allow for more turnover.

This item must be read on two separate days. It was given a first reading on April 18. Five affirmative votes are required for passage after public comment.

**Order 199-17/18      Order Approving the Collective Bargaining Agreement with the  
(Tab 11)              American Federation of State, County, and Municipal Employees  
                            (AFSCME) Local 481-07 Supervisors – Sponsored by Jon P. Jennings,  
                            City Manager.**

City staff has reached a tentative three (3) year agreement with AFSCME Supervisors representing approximately 39 supervisors and foremen. The tentative agreement is within guidance received from Council on September 18, 2017 and additional guidance on February 21, 2018.

The parties have tentatively agreed to a three (3) year contract extension with general wage increases as follows:

2% effective retroactive to July 2, 2017  
2% effective July 1, 2018 plus \$.60 per hour for eliminating stipends and rolling into the hourly wage  
2% effective July 7, 2019 plus \$.20 per hour for overtime concessions

In addition the City has agreed to implement a longevity step at 12+ years upon Council vote of approval of the new contract.

This item must be read on two separate days. It was given a first reading on April 18. Five affirmative votes are required for passage after public comment.

**ORDERS:**

**AMENDMENTS:**

**Order 205-17/18  
(Tab 12)**

**Amendment to Portland City Code Chapter 14 Re: Conditional Uses in the R-3 and R-6 Zones – Sponsored by the Planning Board, Sean Dundon, Chair.**

The Planning Board met on April 17, 2018 and voted unanimously 6-0 (Silk recused) to forward this item to the City Council with a recommendation for passage.

The R-3 Residential zone is predominantly characterized by single-family neighborhoods, with limited neighborhood-serving institutions such as schools, places of assembly, markets, municipal uses, medical offices or hospitals and care facilities. These institutional uses are permitted on a conditional basis within the R-3. As neighborhood demographics and community needs shift, the need for such institutional uses becomes less apparent, or redundant.

The challenge inherent with these existing non-residential sites is that they are of a scale out of context with their adjoining neighborhoods, with significant available parking, utility infrastructure and building square footage. While these sites are suited for redevelopment to other institutional uses permitted under the R-3, there is limited demand for such uses and thus it is difficult to redevelop. In general, these institutional sites are well-suited to multi-family housing conversion, that use is prohibited within the R-3. Conversion of these facilities for housing is permitted in the R-5, but not in the R-3 zone.

Developers Collaborative Redevelopment, LLC, property owner of the former Reed School site, has requested a text amendment to the R-3 Residential zone to conditionally permit alteration of existing non-residential buildings in existence as of January 1, 1984 for multi-family residential uses. The text is based largely upon the similar conditional use language contained in the R-5 Residential zone and would be subject to both general and zone specific conditional use standards, as well as

increased oversight by either the Planning Board or Zoning Board of Appeals. The zone specific conditional use standards being proposed restrict the location of outside stairways and fire escapes, the placement of residential units within a given structure, residential unit density by means of a minimum lot area per dwelling unit requirement, placement and quantity of off-street parking, design, scale and contextuality of new additions, site configuration and screening of site features. Based upon discussions with the Planning Board, the minimum unit size standard found within the comparable R-5 conditional use was not carried over to the R-3 zone and is suggested for removal within the R-5.

This item must be read on two separate days. This is its first reading.

**6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:**

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR. (A/L)

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**MAY 7, 2018**

The Portland City Council will hold a regular City Council Meeting at 5:30 p.m. in City Council Chambers, City Hall. The Honorable Ethan K. Strimling, Mayor, will preside.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**ANNOUNCEMENTS:**

**RECOGNITIONS:**

**Arts in the Chamber, Pihcintu Multicultural Choir Group**

**APPROVAL OF MINUTES OF PREVIOUS MEETING:**

(Tab 1) April 18, Draft 2018 Regular City Council Meeting Minutes

**PROCLAMATIONS:**

Proc 31-17/18 Proclamation Declaring May 19, 2018 Kids to Park Day – Sponsored  
(Tab 2) by Mayor Ethan K. Strimling,

Proc 32-17/18 Proclamation Honoring Ryan Luce, Health and Human Services  
(Tab 3) Department, Barron Center, as Employee of the Month for April 2018 –  
Sponsored by Mayor Ethan K. Strimling.

Proc 33-17/18 Proclamation Recognizing Pihcintu Multicultural Choir Group  
(Tab 4) – Sponsored by Councilor Pious Ali.

Proc 34-17/18 Proclamation Declaring May 2018 Revive Civility Month – Sponsored  
(Tab 5) by Mayor Ethan Strimling, Councilor Pious Ali, Councilor Jill C.  
Duson, Councilor Kimberly Cook, Councilor Belinda Ray, Councilor  
Spencer Thibodeau, Councilor Nicholas M. Mavodones, Jr., and  
Councilor Justin Costa.

**APPOINTMENTS:**

**CONSENT ITEMS:**

**LICENSES:**

**BUDGET ITEMS.**

**MAYOR STRIMILING WILL MAKE HIS REMARKS ON THE FY19 MUNICIPAL BUDGET.**

**PUBLIC COMMENT WILL BE TAKEN AT THIS COUNCIL MEETING ON ALL SCHOOL BUDGET ORDERS. ACTION ON THE SCHOOL BUDGET ORDERS WILL TAKE PLACE ON MAY 14, 2018 AT 5:30 P.M.**

**Order 200-17/18  
(Tab 5)**

**Order Approving State/Local EPS Funding Allocation for Public Education from Kindergarten to Grade 12 for Portland Public Schools for Fiscal Year 2019 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.**

Order 200-17/18 to Order 204-17/18 are orders required by 20-A M.R.S.A. §15690 in order to comply with what is known as LD1, a set of state laws passed to control increases in property taxes.

This order provides \$87,525,230 as the amount determined by state law to be the minimum amount the city must appropriate in order to receive the full amount of state funding under the Essential Programs and Services Funding Act.

This requires the city to raise \$70,198,565 as the city’s contribution to the total cost of funding public education from K-12 as described in the EPS law. The City’s Tax levy based on the budget submitted by the Portland Board of Public Education for the total for school budget programs of \$111,797,612 will be \$89,222,327.

This item must be read on two separate days. This is its first reading.

**Order 201-17/18  
(Tab 6)**

**Order Approving Non-State Funded School Construction Debt Service for Portland Schools for Fiscal Year 2019 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Chair.**

Non-state funded debt service is the amount of money needed for the annual payments on the City’s long-term debt for major capital school construction projects and portions of school construction projects that are not approved for state funding. The bonding of this long-term debt was previously approved by the voters or the City Council.

This order appropriates \$597,496 for the annual payments on debt service previously approved by the voters or the City Council for non-state (local-only) funded school construction projects. The state no longer includes minor capital projects in this calculation.

The \$597,496 is in addition to the funds appropriated as the EPS required local share (amount of the city's contribution to the total cost of funding public education from kindergarten to grade 12).

This item must be read on two separate days. This is its first reading.

**Order 202-17/18  
(Tab 7)**

**Order Raising and Appropriating Additional Local Funds for Portland Schools for Fiscal Year 2019 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.**

This order appropriates \$16,729,169 in additional city funds over and above regional EPS amount and the non-state funded debt service amount.

This exceeds the EPS funding model by \$20,120,139 and funds the cost of city schools, Kindergarten-12, which are not covered by the state funding model established by the Essential Programs and Services Funding Act.

This item must be read on two separate days. This is its first reading.

**Order 203-17/18  
(Tab 8)**

**Order Approving Total School Operating Budget for Portland Schools for Fiscal Year 2019 – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.**

This order is required by 20-A M.R.S.A. §15690(4)(A). It sets the School Budget required by state law. The total amount recommended for that budget is \$105,843,472.

That is the amount based on the budget submitted by the Portland Board of Public Education and would be sent to the voters for approval at a citywide Referendum Election on June 12, 2018. \$87,525,230 of the \$105,843,472 would come from property taxes, \$16,339,336 would come from state subsidy, and \$1,478,906 from other revenues. This amount may change as the Finance Committee will be voting on this budget on May 9, 2018.

This order does not provide money unless the other General Fund budget orders are passed.

This item must be read on two separate days. This is its first reading.

**Order 204-17/18  
(Tab 9)**

**Order Appropriating and Raising Funds for Adult Education for Fiscal Year 2019 as Required by the Maine Revised Statutes, Title 20-A M.R.S. §8603-A(1) – Sponsored by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.**

This order raises \$1,697,097 to support the Adult Education program and Food Service Program appropriates a budget for that program of \$2,391,137. The budgets for the Adult Education Program submitted by the Portland Board of Public Education are in addition to the \$105,843,472 proposed for the General Fund School Budget that must be submitted to the voters.

Under the City Charter, the Council must act on this school funding order, which is not part of the General Fund budget.

When the amounts for the Adult Education Program as submitted by the Portland Board of Public Education are added to the proposed General Fund School Budget, it leads to a total for FY2019 school budget programs of \$111,797,612.

The total school budget will come before the Council for approval as part of the annual Appropriation Resolve on May 21<sup>st</sup>.

This item must be read on two separate days. This is its first reading.

**COMMUNICATIONS:**

**RESOLUTIONS:**

**UNFINISHED BUSINESS:**

**Order 198-17/18 (Tab 10) Traffic Schedule Amendment Re: Section of Fore Street to Two-Hour Parking – Sponsored by Jon P. Jennings, City Manager.**

Fore Street, between Waterville Street and St. Lawrence Street, is two-way with unrestricted parking on both sides of the street, except during weekly street cleaning events. The requested Council action would adjust the Traffic Schedule from unrestricted parking to 2-hour parking on the north side of this Fore Street block. This would impact six parking spaces.

The development and activity along Fore Street has intensified recently and people in the neighborhood have requested shorter term parking to allow for more turnover.

This item must be read on two separate days. It was given a first reading on April 18. Five affirmative votes are required for passage after public comment.

**Order 199-17/18 (Tab 11) Order Approving the Collective Bargaining Agreement with the American Federation of State, County, and Municipal Employees (AFSCME) Local 481-07 Supervisors – Sponsored by Jon P. Jennings, City Manager.**

City staff has reached a tentative three (3) year agreement with AFSCME Supervisors representing approximately 39 supervisors and foremen. The tentative agreement is within guidance received from Council on September 18, 2017 and additional guidance on February 21, 2018.

The parties have tentatively agreed to a three (3) year contract extension with general wage increases as follows:

2% effective retroactive to July 2, 2017  
2% effective July 1, 2018 plus \$.60 per hour for eliminating stipends and rolling into the hourly wage  
2% effective July 7, 2019 plus \$.20 per hour for overtime concessions

In addition the City has agreed to implement a longevity step at 12+ years upon Council vote of approval of the new contract.

This item must be read on two separate days. It was given a first reading on April 18. Five affirmative votes are required for passage after public comment.

**ORDERS:**

**AMENDMENTS:**

**Order 205-17/18  
(Tab 12)**

**Amendment to Portland City Code Chapter 14 Re: Conditional Uses in the R-3 and R-6 Zones – Sponsored by the Planning Board, Sean Dundon, Chair.**

The Planning Board met on April 17, 2018 and voted unanimously 6-0 (Silk recused) to forward this item to the City Council with a recommendation for passage.

The R-3 Residential zone is predominantly characterized by single-family neighborhoods, with limited neighborhood-serving institutions such as schools, places of assembly, markets, municipal uses, medical offices or hospitals and care facilities. These institutional uses are permitted on a conditional basis within the R-3. As neighborhood demographics and community needs shift, the need for such institutional uses becomes less apparent, or redundant.

The challenge inherent with these existing non-residential sites is that they are of a scale out of context with their adjoining neighborhoods, with significant available parking, utility infrastructure and building square footage. While these sites are suited for redevelopment to other institutional uses permitted under the R-3, there is limited demand for such uses and thus it is difficult to redevelop. In general, these institutional sites are well-suited to multi-family housing conversion, that use is prohibited within the R-3. Conversion of these facilities for housing is permitted in the R-5, but not in the R-3 zone.

Developers Collaborative Redevelopment, LLC, property owner of the former Reed School site, has requested a text amendment to the R-3 Residential zone to conditionally permit alteration of existing non-residential buildings in existence as of January 1, 1984 for multi-family residential uses. The text is based largely upon the similar conditional use language contained in the R-5 Residential zone and would be subject to both general and zone specific conditional use standards, as well as

increased oversight by either the Planning Board or Zoning Board of Appeals. The zone specific conditional use standards being proposed restrict the location of outside stairways and fire escapes, the placement of residential units within a given structure, residential unit density by means of a minimum lot area per dwelling unit requirement, placement and quantity of off-street parking, design, scale and contextuality of new additions, site configuration and screening of site features. Based upon discussions with the Planning Board, the minimum unit size standard found within the comparable R-5 conditional use was not carried over to the R-3 zone and is suggested for removal within the R-5.

This item must be read on two separate days. This is its first reading.

**6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:**

*Tab 1 5-7-18*

**IN COUNCIL SPECIAL MEETING APRIL 18, 2018 VOL.133 PAGE 202**

**ROLL CALL:** Mayor Strimling called the meeting to order at 5:30 P.M. (All Councilors present).

**ANNOUNCEMENTS:** Councilor Ray announced that the Health and Human Services will meet on April 24, 2018 in Room 24 of City Hall to hear public comment on the proposed sick leave.

**RECOGNITIONS:**

Arts in the Chamber, Toast (Acoustic Folk/Rock Duo Emma Ivy and Justin Lindsay)

Motion was made by Councilor Duson and seconded by Councilor Mavodones to suspend the rules to take up an un-agenda item.  
Passage 9- 0.

**RESOLUTION:**

**Resolve 10-17/18** Resolution Honoring the Life and Legacy of Former First Lady Barbara Bush.

Motion was made by Councilor Mavodones and seconded by Councilor Batson for passage. Passage 9-0.

**APPROVAL OF MINUTES OF PREVIOUS MEETING:**

Motion was made by Councilor Ray and seconded by Councilor Ali for passage of the April 9, 2018 Draft Special City Council Meeting.  
Passage 9-0.

**PROCLAMATIONS:**

**APPOINTMENTS:**

**CONSENT ITEMS:**

**Order 190-17/18** Order Declaring June 8 to 10, 2018 The Old Port Festival Summer Kick-Off Weekend - Sponsored by Jon P. Jennings, City Manager.

**Order 191-17/18** Order Declaring August 25, 2018 the Portland Fine Craft Show Festival - Sponsored by Jon P. Jennings, City Manager.

**IN COUNCIL SPECIAL MEETING APRIL 18, 2018 VOL.133 PAGE 203**

**Order 192-17/18      Order Declaring June 9 and June 10, 2018 the Atlantic Cup Festival – Sponsored by Jon P. Jennings, City Manager.**

Motion was made by Councilor Costa and seconded by Councilor Thibodeau for passage of the consent items. Passage 9-0.

**LICENSES:**

**Order 193-17/18      Order Granting Municipal Officers' Approval of Crown Jewel, LLC dba Crown Jewel. Application for a Class I FSE with Outdoor Dining on Private Property at 255 Diamond Avenue – Sponsored by Michael Russell, Director of Permitting and Inspections Department.**

Motion was made by Councilor Mavodones and seconded by Councilor Costa for passage. Passage 9-0.

**Order 194-17/18      Order Granting Municipal Officers' Approval of Lio LLC dba Lio Restaurant. Application for a Class I FSE with Outdoor Dining on Private Property at 3 Spring Street – Sponsored by Michael Russell, Director of Permitting and Inspections Department.**

Motion was made by Councilor Batson and seconded by Councilor Thibodeau for passage. Passage 9-0.

**Order 195-17/18      Order Granting Municipal Officers' Approval of New England Distilling, LLC dba New England Distilling. Application for Outdoor Dining on Private Property at 1 Industrial Way, Unit 13 – Sponsored by Michael Russell, Director of Permitting and Inspections Department.**

Motion was made by Councilor Duson and seconded by Councilor Ray for passage. Passage 9-0.

**Order 196-17/18      Order Granting Municipal Officers' Approval of Eaux, LLC dba Eaux. Application for a Class I FSE at 88 Exchange Street – Sponsored by Michael Russell, Director of Permitting and Inspections.**

Motion was made by Councilor Ray and seconded by Councilor Batson for passage. Passage 9-0.

**BUDGET ITEMS:**

**IN COUNCIL SPECIAL MEETING APRIL 18, 2018 VOL.133 PAGE 204**

**Order 197-17/18      Order Receiving and Referring to the Finance Committee the Portland Board of Public Education's Fiscal Year 2019 Budget Estimate and Setting a Public Hearing Thereon – Sponsored by Jon P. Jennings, City Manager.**

**The City Council public hearing on the school budget will be held on Monday, May 7, 2018 at 5:30 p.m. at City Hall in City Council Chambers.**

**City Council action on the school budget will take place Monday, May 14, 2018 at 5:30 p.m. at City Hall in City Council Chambers.**

**The public referendum on the school budget will be held on Tuesday, June 12, 2018.**

Motion was made by Councilor Costa and seconded by Councilor Duson for passage. Passage 9-0.

**COMMUNICATIONS:**

**RESOLUTIONS:**

**Resolve 8-17/18      Resolution Adopting the Fiscal Year 2019 Annual Action Plan Including Appropriations for Community Development Block Grant Program, HOME Program, and Emergency Solutions Grant Program and Certifications Pertaining Thereto -- Sponsored by Jon P. Jennings, City Manager.**

Motion was made by Councilor Cook and seconded by Councilor Thibodeau to amend Resolve 8 by making reductions as reflected in Exhibit A. Passage 7-2 (Duson, Ray)

Motion was made by Councilor Mavodones and seconded by Councilor Ray for passage as amended. Passage 9-0.

**6:00 P.M. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS:**

**UNFINISHED BUSINESS:**

**Order 169-17/18      Order Amending Traffic Schedule Re: Unrestricted to Time-Restricted Parking on Kennebec Street – Sponsored by Jon P. Jennings, City Manager.**

**IN COUNCIL SPECIAL MEETING APRIL 18, 2018 VOL.133 PAGE 205**

It was given a first reading on March 19 and postponed to this meeting.

Motion was made by Councilor Ray and seconded by Councilor Thibodeau for passage. Passage 9-0.

**Order 174-17/18      Order Authorizing Sale and City Lease Back of 44 Hanover Street – Sponsored by the Economic Development Committee, Councilor Justin Costa, Chair.**

It was given a first reading on March 19 and postponed to this meeting.

Motion was made by Councilor Costa and seconded by Councilor Thibodeau for passage. Passage 8-1 (Strimling).

**Order 184-17/18      Order Rescinding Order 144-17/18, Authorizing Waterfront Concert Festivals Presented by Waterfront Concerts, LLC on the Maine State Pier – Sponsored by Danielle West-Chuhta, Corporation Counsel.**

It was given a first reading on April 9, 2018.

Motion was made by Councilor Cook and seconded by Councilor Duson to amend Order 184 by removing rescinding and adding amending and removing Waterfront Concerts, LLC and adding Live Nation Entertainment. Passage 8-1 (Strimling).

Motion was made by Mayor Strimling and seconded by Councilor Costa for passage as amended. Passage 9-0.

**Order 185-17/18      Order Approving the Agreement between Portland and Maine Department of Transportation Re: Paving Valley Street between Park Avenue and St. John Street- Sponsored by Jon P. Jennings, City Manager.**

It was given a first reading on April 9, 2018.

Motion was made by Councilor Thibodeau and seconded by Councilor Batson for passage. Passage 8-0 (Ali out).

**Order 186-17/18      Order Approving the Agreement between Portland and Maine Department of Transportation Re: Paving Park Avenue between St. John Street and Interstate 295 – Sponsored by Jon P. Jennings, City Manager.**

It was given a first reading on April 9, 2018.

**IN COUNCIL SPECIAL MEETING APRIL 18, 2018 VOL.133 PAGE 206**

Motion was made by Councilor Batson and seconded by Councilor Thibodeau for passage. Passage 8-0 (Ali out).

**Order 187-17/18    Order Authorizing General Obligation Bonds to Finance a Portion of the City's Fiscal Year 2019 Capital Improvement Program in an Amount not to Exceed \$31,648,595 – by the Finance Committee, Councilor Nicholas M. Mavodones, Jr., Chair.**

It was given a first reading on April 9, 2018.

Motion was made by Councilor Costa and seconded by Councilor Ray to amend Order 187 by adding changes proposed by the City Manager and passed unanimously by the Finance Committee. Passage 9-0.

Motion was made by Mayor Strimling and seconded by Councilor Batson to amend Order 187 by adding \$250,000 to the Riverton Playground, adding \$150,000 for the Fire Station and removing the demolition of the mechanical room at Ocean Gateway \$500,000. Motion failed 1-8(Duson, Mavodones, Cook, Ali, Costa, Ray, Thibodeau, Batson)

Motion was made by Councilor Mavodones and seconded by Councilor Ray for passage as amended. Passage 9-0.

**Order 188-17/18    Order Appropriating Bond Proceeds and Unassigned Fund Balance in an Amount not to Exceed \$34,703,595 for the City's Fiscal Year 2019 Capital Improvement Program – Sponsored by Jon P. Jennings, City Manager.**

It was given a first reading on April 9, 2018.

Motion was made by Councilor Mavodones and seconded by Councilor Thibodeau for passage. Passage 9-0.

**Order 189-17/18    Amendment to Portland City Code Re: Bike Share Ordinance – Sponsored by the Sustainability and Transportation Committee, Councilor Spencer Thibodeau, Chair.**

It was given a first reading on April 9, 2018.

Motion was made by Councilor Thibodeau and seconded by Councilor Batson for passage. Passage 9-0 .

IN COUNCIL SPECIAL MEETING APRIL 18, 2018 VOL.133 PAGE 207

**ORDERS:**

**Order 198-17/18**      **Traffic Schedule Amendment Re: Section of Fore Street to Two-Hour Parking – Sponsored by Jon P. Jennings, City Manager.**  
This is its first reading.

**Order 199-17/18**      **Order Approving the Collective Bargaining Agreement with the American Federation of State, County, and Municipal Employees (AFSCME) Local 481-07 Supervisors – Sponsored by Jon P. Jennings, City Manager.**

This is its first reading.

Motion was made by Councilor Ray and seconded by Councilor Costa to adjourn. Passage 9-0, 12:05 A.M.

A TRUE COPY.

---

Katherine L. Jones, City Clerk

*Proc 31-17/18  
Tab 2 5-7-18*

**PROCLAMATION**  
**KIDS TO PARKS DAY**  
**MAY 19, 2018**

WHEREAS, May 19th, 2018 is the eighth Kids to Parks Day organized and launched by the National Park Trust, held annually on the third Saturday of May; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks; and

WHEREAS, it is important to introduce a new generation to our nation's parks; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and

WHEREAS, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

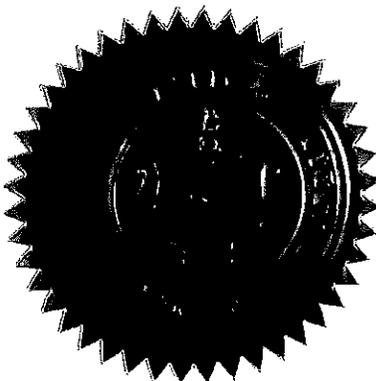
NOW THEREFORE, I, Ethan Strimling, Mayor of Portland do hereby proclaim to participate in Kids to Parks Day. I urge residents of Portland to make time May 19th, 2018 to take the children in their lives to a neighborhood, state or national park.

Dated this 7<sup>th</sup> day of May, 2018

By



Ethan K. Strimling, Mayor  
City of Portland, Maine



Proc 32-17/18  
Tab 3 5-7-18

## PROCLAMATION

Honoring

Ryan Luce

Employee of the

Month April 2018

**WHEREAS:** **Ryan Luce** of the Health and Human Services Department, Barron Center, has been named the City of Portland Employee of the Month by a committee of his peers and selected for this distinct honor from a workforce of over 1,300; and

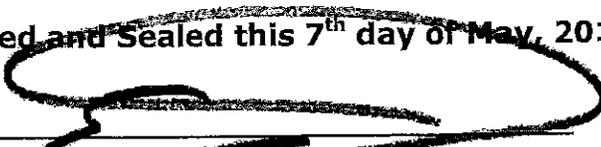
**WHEREAS:** This award is presented in recognition of **Ryan's** work as a Licensed Dietetic Technician with over 9 years of service. **Ryan** is recognized by staff as dedicated and professional in his demeanor and appearance. **Ryan** has a great rapport with residents, family members, visitors, co-workers and other City staff; and

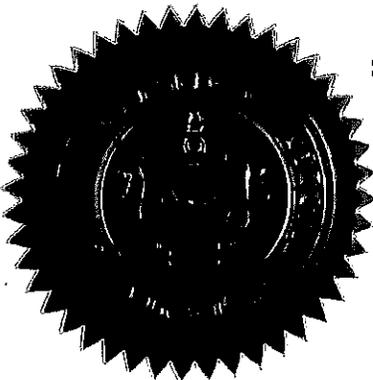
**WHEREAS:** When **Ryan** meets with residents each day, he listens to their nutrition likes and dislikes and helps the residents with their menus. **Ryan** monitors resident weight gains and losses and in his monthly reporting he also follows up with suggestions to help the resident maintain a healthy lifestyle. **Ryan** gets involved in planning special meals for the residents, such as birthday meals, anniversary meals, etc.; and

**WHEREAS:** Recently **Ryan** began offering to drive Barron Center residents to and from doctor appointments, dialysis, oncology, etc. **Ryan** is very kind and addresses residents with respect. Additionally, **Ryan** represents the Barron Center as a member of City Fit! **Ryan** personally maintains a healthy lifestyle and is a wonderful representative of the group. **Ryan** truly is an asset to the Health and Human Services Department and to the City.

**NOW, THEREFORE, BE IT RESOLVED, THAT I,** Ethan K. Strimling, Mayor of the City of Portland, Maine, and the members of the Portland City Council do hereby proclaim honor and recognition to **Ryan Luce** as **City Employee of the Month, April 2018.**

Signed and Sealed this 7<sup>th</sup> day of May, 2018

  
Ethan K. Strimling, Mayor  
City of Portland, Maine



*Proc 33-17/18  
Tab 4 5-7-18*

**PROCLAMATION  
DECLARING MAY 2018  
REVIVE CIVILITY MONTH**

- WHEREAS,** The ethics of civility offers critical foundation for the open exchange of ideas; and
- WHEREAS,** Civil discourse is the free respectful exchange of different ideas in a way that affirms all persons even while critiquing their argument; and
- WHEREAS,** Heated rhetoric and dramatics, shift away from collaboration and leave us unable to collaboratively solve the challenges confronting our community; and
- WHEREAS,** Civility restores trust and encourages citizens to participate in building a healthy engagement culture in our community; and
- WHEREAS,** Civility assist in the process of working together to create lasting solutions to our most pressing challenges, while fostering respect among opposing ideas; and
- WHEREAS,** The month of May is designated as Revive Civility by the National Institute For Civic Discourse for the purpose of reviving and restoring civility to achieve a higher level of public discourse,

**NOW, THEREFORE, BE IT RESOLVED, THAT I,** Ethan K. Strimling, Mayor of the City of Portland, Maine and the members of the Portland City Council:

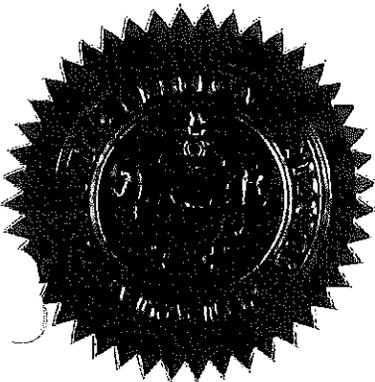
- (1) Recognize the significance of civility and the efforts of organizations like Maine Revives Civility, Seeds of Peace, League of Women voters and many others working to foster the cultural civility in our community.

I do hereby declare May 2018 as the Revive Civility Month in Portland.

**Signed and Sealed this 7<sup>th</sup> Day of May, 2018**

---

**Ethan K. Strimling, Mayor**



*Proc 34-17/18  
Tab 5 5-7-18*

**PROCLAMATION  
RECOGNIZING PIHCINTU MULTICULTURAL CHOIR GROUP**

**WHEREAS,** For more than a decade, Pihcintu Multicultural Chorus has created the platform for a diverse group of immigrant girls and young women to express themselves artistically ; and

**WHEREAS,** Pihcintu is made up of girls and young women from more than 40 countries who represent the diversity in our community ; and

**WHEREAS,** Pihcintu has performed for over 250,000 people at several venues including The John F. Kennedy Center for the Performing Arts Washington D.C., The National Cathedral, Washington, D.C, and The United Nations; and

**WHEREAS,** Pihcintu has been featured in both print and electronic media such as The Washington Post, Playback, the monthly magazine of the American Society of Composers Authors and Publishers, American Choral Society, The Portland Press Herald, Bangor Daily News, Lewiston Sun Journal, Forecaster, the Portland Phoenix, The Today Show, National Public Radio, Voice of America, Al Jazeera, WCSH6, WLBZ2 WGME, and WMTW; and

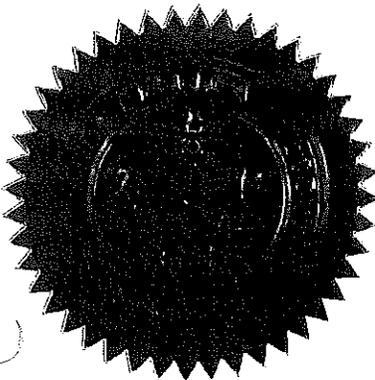
**WHEREAS,** In addition to creating a platform for them to express themselves and improving their self-confidence, all of Pihcintu's singers have graduated from high school and 85% of them have gone on to post-secondary education.

**NOW, THEREFORE, BE IT RESOLVED, THAT I,** Ethan K. Strimling, Mayor of the City of Portland, Maine and the members of the Portland City Council do hereby congratulate the Pihcintu Multicultural Choral group for all their achievements over the past decade and for being good representatives of the City of Portland.

**Signed and Sealed this 7<sup>th</sup> Day of May, 2018**

---

**Ethan K. Strimling, Mayor**



200-1718  
Tab 6 5-7-18

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING STATE/LOCAL EPS FUNDING ALLOCATION  
FOR PUBLIC EDUCATION FROM KINDERGARTEN TO GRADE 12  
FOR PORTLAND PUBLIC SCHOOLS FOR FISCAL YEAR 2019**

**ORDERED**, that under and pursuant to the City's Fiscal Year 2018-2019 Appropriation Resolve Order \_\_\_-17/18 and applicable state law the City hereby approves the following school budget article for Fiscal Year 2018-2019:

Appropriation for State/Local EPS funding Allocation: That the City appropriates the amount of \$87,525,230 for the total cost of funding public education from kindergarten to grade 12, and raises the amount of \$70,198,565 as the City's contribution to the total cost of funding public education from kindergarten to grade 12, both as described in the Essential Programs and Services Funding Act, in accordance with Maine Revised Statutes, Title 20-A, section 15688.

*State Mandated Explanation: The City's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined under state law annually to be the minimum amount that the City must raise in order to receive the full amount of state dollars.*

Order 201-17/18  
Tab 7 5-7-18

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR. (A/L)

**ORDER APPROVING NON-STATE FUNDED SCHOOL CONSTRUCTION DEBT  
SERVICE FOR PORTLAND SCHOOLS FOR FISCAL YEAR 2019**

**ORDERED**, that under and pursuant to the City's Fiscal Year 2018-2019 Appropriation Resolve Order \_\_\_-17/18 and applicable state law the City hereby approves the following school budget article for Fiscal Year 2018-2019.

Appropriation for Non-State Funded Debt Service (20-A M.R.S.A. §15690(2)(A)).

That the City raise and appropriate \$597,496 for the annual payments on debt service previously approved by the legislative body for non-state funded school construction projects and non-state funded portions of school construction projects, in addition to the funds appropriated as the local share of the City's contribution to the total cost of funding public education from kindergarten to grade 12.

***State Mandated Explanation:*** *Non-state funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters or the City Council.*

Order 202-17/18  
Tab 8 5-7-18

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER RAISING AND APPROPRIATING ADDITIONAL LOCAL FUNDS FOR  
PORTLAND SCHOOLS FOR FISCAL YEAR 2019**

**ORDERED**, that under and pursuant to the City’s Fiscal Year 2018-2019 Appropriation Resolve Order \_\_\_-17/18 and applicable state law the City hereby approves the following school budget article for Fiscal Year 2018-2019:

Authorization to Exceed the Portland School Department’s Maximum State and Local Spending Target Established Pursuant to Maine Revised Statutes, Title 20-A § 15671-A(4) and Appropriating Additional Local Funds: That the City raises and appropriates \$16,729,169 in additional local funds, which exceeds the State’s Essential Programs and Services allocation model by \$20,120,139 as required to fund the budget recommended by the Portland Board of Public Education.

That amount is needed to cover the School Department’s costs that the state’s funding model does not recognize or recognize fully, including costs to maintain class size; Special Education costs; PATHS costs; Regular Instruction costs; Facilities Maintenance costs to address deferred maintenance; technology costs; transportation costs; professional development costs; debt service for pension obligation; and debt service capital renovation costs.

***State Mandated Explanation:** The additional local funds are those locally raised funds over and above the City’s local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the City’s budget for educational programs.*

*[NOTE: City council approval of this order requires 5 affirmative votes, see 20-A M.R.S.A. section 15671-A(5)(B)(2)(requiring for council approval “a majority of the entire membership of the council”) and see Article II, section 11 of the City Charter (requiring 5 affirmative votes for final passage).]*

*Order 203-17/18  
Tab 9 5-7-18*

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING TOTAL SCHOOL OPERATING BUDGET  
FOR PORTLAND SCHOOLS FOR FISCAL YEAR 2019**

**ORDERED**, that under and pursuant to the City's Fiscal Year 2018-2019 Appropriation Resolve Order \_\_\_-17/18 and applicable state law the City hereby approves the following school budget article for Fiscal Year 2018-2019:

Total School Budget Summary (20-A M.R.S.A. §15690(4)(A)): That the City authorizes the School Committee to expend \$105,843,472 for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019 from the City's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools.

Order, 204-17/18  
Tab 10 5-7-18

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROPRIATING AND RAISING FUNDS  
FOR ADULT EDUCATION FOR FISCAL YEAR 2019 AS REQUIRED  
BY THE MAINE REVISED STATUTES, TITLE 20-A M.R.S. §8603-A(1)**

**ORDERED**, that the sum of \$2,391,137 is hereby appropriated for Adult Education for Fiscal Year 2018-2019 and that the sum of \$1,697,097 is hereby raised as the local share with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program.

*Explanation: Under state law, the appropriation for adult education falls outside the total annual budget for public schools addressed in the prior order when it passes the Appropriation Resolve.*

*Order 198-17/18*  
*Tab 19 4-18-18*  
*Tab 11 5-7-18*

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND**  
**IN THE CITY COUNCIL**

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**TRAFFIC SCHEDULE AMENDMENT**  
**RE: SECTION OF FORE STREET TO 2-HOUR PARKING**

**ORDERED**, that the City of Portland's Traffic Schedule be and hereby is amended as follows:

**By adding under Fore Street from Waterville Street to St. Lawrence Street:**

North Side

- **Schedule XVIII** – 2-Hour Parking between 9:00 a.m. and 6 p.m.

**MEMORANDUM**  
**City Council Agenda Item**

**DISTRIBUTE TO:** City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan

**FROM:** Jennifer Ladd, Senior Transportation Engineer  
Department of Public Works

**COPY:** Chris Branch, DPW Director  
Keith Gray, City Engineer  
Jeremiah Bartlett, Transportation Systems Engineer  
John Peverada, Parking Division

**DATE:** March 27, 2018

**SUBJECT:** Traffic Schedule Amendment: Unrestricted to Time-Restricted Parking on Fore St

**SPONSOR:** Jon Jennings, City Manager

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

**1<sup>st</sup> reading** \_\_\_ April 18th, 2018 \_\_\_ **Final Action** \_\_\_ May 7th, 2018 \_\_\_

**Can action be taken at a later date:**  Yes  No (If no why not?)

**PRESENTATION:** (List the presenter(s), type and length of presentation) N/A

**I. ONE SENTENCE SUMMARY -**

The Department of Public Works requests City Council approval to amend the Traffic Schedule to convert six existing unrestricted parking spaces along the north side of Fore Street (from Waterville Street to St. Lawrence Street) to six 2-hour time-restricted parking spaces.

**II. AGENDA DESCRIPTION -**

Fore Street, between Waterville Street and St. Lawrence Street, is two-way with unrestricted parking on both sides of the street, except during weekly street cleaning events. The requested Council action would adjust the Traffic Schedule from unrestricted parking to 2-hour parking on the north side of this Fore Street block. This would impact six parking spaces. (see attached graphic)

**III. BACKGROUND -**

The development and activity along Fore Street has intensified recently and people in the neighborhood have requested shorter term parking to allow for more turnover.

**IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED -**

The intended result of this conversion is to provide parking turnover to this section of on street parking.

**V. FINANCIAL IMPACT -**

The financial impact will be approximately \$500 for staff time, \$500 in materials, and the required DigSafe fees related to the installation of signage.

**VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION -**

Some in the neighborhood have been requesting this change for quite some time; citing islanders who park on-street for extended periods and the presence of considerable unrestricted parking along the south side of Fore Street.

**VII. RECOMMENDATION –**

DPW staff, with support from the Parking Division, recommend this change.

**VIII. LIST ATTACHMENTS**

1. Parking Change Proposed for Fore St

Prepared by: Jennifer Ladd

Date: April 2, 2018

Bean/agendarequestmemo/rev 11/2015

# Parking Change Proposed for Fore Street



Change from unrestricted parking to 2 hour parking

Change from unrestricted parking to 2 hour parking

*Order 199-17/18*  
~~*Tab 20 4-18-18*~~  
~~*Tab 12 5-7-18*~~

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING THE  
COLLECTIVE BARGAINING AGREEMENT WITH  
THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL  
EMPLOYEES (AFSCME) LOCAL 481-07 SUPERVISORS**

**ORDERED**, that the attached Collective Bargaining Three (3) Year Agreement with the American Federation of State, County and Municipal Employees (AFSCME) Local 481-07 Supervisors for July 2, 2017 through June 30, 2020, is hereby approved.

CITY OF PORTLAND  
MEMORANDUM

To: Mayor Ethan Strimling and Members of the City Council  
From: Thomas Caiazza, Labor Relations Manager *TAC*  
Date: April 4, 2018  
RE: Order/First Reading of AFSCME Local 481-07 Supervisors

City staff has reached a tentative three (3) year agreement with AFSCME Supervisors representing approximately 39 supervisors and foremen. The tentative agreement is within guidance received from Council on September 18, 2017 and additional guidance on February 21, 2018.

The parties have tentatively agreed to a three (3) year contract extension with general wage increases as follows:

2% effective retroactive to July 2, 2017  
2% effective July 1, 2018 plus \$.60 per hour for eliminating stipends and rolling into the hourly wage  
2% effective July 7, 2019 plus \$.20 per hour for overtime concessions

In addition the City has agreed to implement a longevity step at 12+ years upon Council vote of approval of the new contract.

Tool allowance is increased \$50.00 per year starting in July 2018 for two years.

Footwear allowance increased to \$200.00 per year effective July 2018.

The Jetport also agreed to a new market rate pay plan for their supervisors which rolls all stipends, allowances and add pay into the hourly rate.

In consideration of the above, the union has agreed to overtime concessions as well as lumping specific allowances and stipends into the hourly wage.

The contract term is July 2, 2017 through June 30, 2020. The total direct cost of the general wage and economic increase is approximately \$348,000.00.

Other language changes which do not have a financial impact have also been agreed to.

The Supervisors members have ratified the three (3) year agreement.

This order will require a second reading at the May 7, 2018 Council meeting.

Cc: Jon P. Jennings – City Manager  
Anita LaChance – Deputy City Manager  
Danielle West-Chuhta – Corporate Counsel  
Anne Torregrossa – Associate Corporate Counsel  
Chris Branch – Public Works Director  
Paul Bradbury – Airport Director  
Sally Deluca – Director of Parks, Recreation & Facilities Management  
Gina Tapp – Human Resources Director  
Brendan O'Connell – Finance Director  
Carlene Kessler – Employment Services Manager  
Jennifer Lodge, Budget Analyst  
Lori Schools, Payroll Manager

Order 205-17/18  
Tab 13 5-7-18

ETHAN K. STRIMLING (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
BRIAN E. BATSON (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND  
IN THE CITY COUNCIL**

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND  
CITY CODE CHAPTER 14  
Re: Conditional Uses in the R-3 and  
R-5 Zones**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
PORTLAND, MAINE IN CITY COUNCIL ASSEMBLED AS  
FOLLOWS:**

*That Chapter 14, Section 14-88 and Section  
14-118 are hereby amended as follows:*

**Sec. 14-88. Conditional Uses.**

The following uses shall be permitted only upon the  
issuance of a conditional use permit, subject to the  
provisions of section 14-474 (conditional uses) and any  
special provisions, standards or requirements specified  
below:

(a) Residential:

(1) . . .

(3) Alteration of a structure existing and not in  
residential use as of January 1, 1984, to three (3)  
or more dwelling units, provided that:

a. No open outside stairways or fire escapes above  
the ground floor shall be constructed or have  
been constructed in the immediately preceding  
five (5) years;

b. A lower level dwelling unit shall have a  
minimum of one-half of its floor-to-ceiling  
height above the average adjoining ground  
level;

c. Three thousand (3,000) square feet of land area  
per dwelling unit shall be required;

SUPERVISORS - ADMINISTRATIVE RECOMMENDATION

ITEM	BASE COST	YEAR 1 (FY)18	% INCR	YEAR 2 (FY)19	% INCR	YEAR 3 (FY)20	% INCR	NOTES:
Base Wages	1,873,832	37,679	2.0%	38,433	2.0%	39,202	2.0%	
Night Shift Differential	2,457							
Specialty Pay	55,869							Winter Ops Stipend, Jetport Meal Allow. & Plowing Stipend rolling into base pay -\$6,475
Meal Allowance	6,800							Increase to \$250, roll into Base Pay, eliminate meal allowance
Step Movement		10,132	0.5%			16,224	0.9%	Year 1 (May & June) Add 12+Year step, effects 35. Year 3 increase all steps by \$0.20
Sub-Total Wages	1,938,958	47,811	2.5%	38,433	1.9%	55,426	2.7%	
Overtime	284,053	5,712	2.0%	5,826	2.0%	5,943	2.0%	Based on increase in base wages
Tool Allowance	3,000			250	8.3%	250	7.7%	Increase Tool Allow \$50 per year for 5 positions
Clothing Allowance	20,755	-		-		-		Increase Boot Allow. to \$200, Roll into Base Pay, eliminate Clothing & Boot Allow.
Total Direct Costs	2,246,765	53,523	2.4%	44,509	1.9%	61,618	2.6%	
Health Insurance	450,614	45,061.37	10.0%	49,568	10.0%	54,524	10.0%	Inflationary increase only
Health Insurance-Plan Changes		(14,870)	-3.0%					Projected 9% Savings less 3% Cost of Wellness Initiative
Pension	211,186	16,467	7.8%	16,030	7.0%	18,354	7.5%	Based on increase in total wages
Workers' Compensation	54,485	1,096	2.0%	1,117	2.0%	1,140	2.0%	Based on increase in total wages
Total Indirect Costs	716,284	47,754	6.7%	66,715	8.7%	74,019	8.9%	
Total	2,963,050	101,277	3.4%	111,224	3.6%	135,637	4.3%	

e. The project shall be subject to article V (site plan) of this chapter for site plan review and approval and the following additional standards:

1. Any addition or exterior alterations such as façade materials, building form, and roof pitch shall be designed to be compatible with the architectural style of the structure and, subject to the dimensional requirements of this zone, shall be limited to a gross floor area equal to or less than 25% of the total existing floor area as of [insert date of adoption].
2. The scale and surface area of parking, driveways, and paved areas shall be arranged and landscaped to be compatible in size and scale with neighboring properties in the area and to properly screen vehicles from adjacent properties and streets.

. . . .

**Sec. 14-118. Conditional uses.**

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) and any special provisions, standards or requirements specified below:

(a) Residential:

1. Reserved.

. . . .

3. Alteration of a structure existing and not in residential use as of January 1, 1984, to three (3) or more dwelling units, provided that:

- a. ~~No dwelling unit shall have less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic.~~

. . . .

**MEMORANDUM**  
**City Council Agenda Item**

**DISTRIBUTE TO:** City Manager, Mayor, Anita LaChance, Sonia Bean, Danielle West-Chuhta, Nancy English, Julianne Sullivan

**FROM:** Jeff Levine, Director, Planning and Urban Development

**DATE:** April 26, 2018

**SUBJECT:** Text Amendments to Division 4 and 6. R-3 and R-5 Residential Zones

**SPONSOR:** Sean Dundon, Chair, Portland Planning Board

- Planning Board- 4/17/18 - Unanimous Recommendation to Adopt Amendments, Vote: 6-0. Silk recused.

**COUNCIL MEETING DATE ACTION IS REQUESTED:**

1<sup>st</sup> reading May 7, 2018 Final Action May 14, 2018

Can action be taken at a later date:  Yes  No (If no why not?)

**PRESENTATION: (List the presenter(s), type and length of presentation)**

Sean Dundon, Chair, Planning Board, and Tuck O'Brien, City Planning Director. Summary of Board's recommendation. Combined 5 to 10 minutes.

**I. ONE SENTENCE SUMMARY**

To promote the adaptive reuse of existing non-residential buildings located within the R-3 and R-5 Residential zones, the Planning Board recommends Division 4 and Division 6 text amendments to permit the alteration of existing non-residential buildings in existence as of January 1, 1984 for multi-family residential uses as a conditional use, subject to the conditional use standards and review oversight by either the Zoning Board of Appeals or Planning Board.

**II. AGENDA DESCRIPTION**

The R-3 Residential zone is predominantly characterized by single-family neighborhoods, with limited neighborhood-serving institutions such as schools, places of assembly, markets, municipal uses, medical offices or hospitals and care facilities. These institutional uses are permitted on a conditional basis within the R-3. As neighborhood demographics and community needs shift, the need for such institutional uses becomes less apparent, or redundant.

The challenge inherent with these existing non-residential sites is that they are of a scale out of context with their adjoining neighborhoods, with significant available parking, utility infrastructure and building square footage. While these sites are suited for redevelopment to other institutional uses permitted under the R-3, there is limited demand for such uses and

thus it is difficult to redevelop. In general, these institutional sites are well-suited to multi-family housing conversion, that use is prohibited within the R-3. Conversion of these facilities for housing is permitted in the R-5, but not in the R-3 zone.

Developers Collaborative Redevelopment, LLC, property owner of the former Reed School site, has requested a text amendment to the R-3 Residential zone to conditionally permit alteration of existing non-residential buildings in existence as of January 1, 1984 for multi-family residential uses. The text is based largely upon the similar conditional use language contained in the R-5 Residential zone and would be subject to both general and zone specific conditional use standards, as well as increased oversight by either the Planning Board or Zoning Board of Appeals. The zone specific conditional use standards being proposed restrict the location of outside stairways and fire escapes, the placement of residential units within a given structure, residential unit density by means of a minimum lot area per dwelling unit requirement, placement and quantity of off-street parking, design, scale and contextuality of new additions, site configuration and screening of site features. Based upon discussions with the Planning Board, the minimum unit size standard found within the comparable R-5 conditional use was not carried over to the R-3 zone and is suggested for removal within the R-5.

### **III. BACKGROUND**

The Reed School Re-Use Advisory Task Force was created in September, 2014 to make recommendations on process and future uses to insure a sensitive and contextual re-purposing of the Reed School property, located at 19 Libby Street in the Riverton neighborhood. In 2015, the task force recommended that the property should be rezoned from R-3 to R-5, and an RFQ was issued soliciting redevelopment proposals. Responses to this RFQ included two proposals for senior housing at the relatively higher densities of 40 or more units, and public sentiment was opposed to this increase in density.

Following the initial RFQ, an RFP was issued to solicit new proposals, out of which process Developers Collaborative was chosen. In June of 2017, Developers Collaborative entered into an agreement with the City to purchase the Reed School property and are proposing a two-phased project. The first phase involves repurposing the single-story portion of the building for Children's Oddysey Academy, a special needs private school, as well as demolition of a steel shed, expansion of on-site parking, installation of new stormwater infrastructure and construction of a playground. The proposed text amendment is in support of the second phase, in which the original three-story portion of the school would be renovated to accommodate eight (8) residential units, not allowable under the R-3.

### **IV. INTENDED RESULT AND OR COUNCIL GOAL ADDRESSED**

Implement policies to increase the supply of safe, location-efficient, affordable and accessible housing.

### **V. FINANCIAL IMPACT**

The proposed amendments will help facilitate the redevelopment of existing non-residential structures located within the R-3 that at present have limited redevelopment potential. Where applied, these text amendments will draw investment to the city's neighborhoods.

## **VI. STAFF ANALYSIS AND BACKGROUND THAT WILL NOT APPEAR IN THE AGENDA DESCRIPTION**

### **A. Planning Board Workshop and Public Hearing**

The Planning Board held a workshop on February 27<sup>th</sup> and requested that Planning staff provide additional information on the location and characteristics of other properties eligible for redevelopment under these amendments. At the workshop, the issue of appropriate density was discussed and members of the Board raised the possibility of limiting building additions as a means of managing unit density. The Board also recommended removal of the minimum unit size standard from both the proposed amendment to the R-3 and from the existing standard for the R-5.

Following the workshop, staff compiled a list of eligible properties and prepared a map showing the location of those properties based upon land use. The proposed language was then amended to limit new additions to 25% of the total existing floor area, providing developers with some flexibility while limiting significant new building expansions.

The Planning Board held a public hearing on April 17<sup>th</sup> on the proposed amendments and unanimously recommended (6-0, Silk recused) the amendments to the Council, expressing their support for the amendments. Clarifying questions regarding the term "addition" were asked, and staff reaffirmed that the conditional use applies only to existing buildings, and that an addition would be limited to an attached expansion of that structure. The building addition standard was also slightly modified by the Board so that an addition would need to be complementary to the existing building, and not compatible as it is written in the R-5 conditional use standard.

### **B. Comprehensive Plan Analysis**

While it is difficult to summarize eligible properties, given their extensive variations in character and location, this text amendment would support the City's goal to encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods. In looking at the list of eligible properties, it is apparent that nearly all such properties are well situated to take advantage of Portland's amenities and services as these sites were largely community serving institutions. The Reed School for example is in many ways an anchor of the Riverton neighborhood, and other eligible properties share similar characteristics. A number of these facilities are underutilized or vacant and are inherently difficult to redevelop given the limited demand for new neighborhood institutional uses. Allowing for the redevelopment of these properties for multi-family residential uses provides higher density housing within neighborhood nodes and corridors in a sustainable and cost-effective manner, cognizant of the benefits of infill development.

And while existing properties eligible for redevelopment are not all considered to be of historic significance, this text amendment provides the impetus to achieve another of the city's goals located within the Historic Resources section, which is to stabilize and enhance historic areas of the City by ensuring quality investment in existing structures and compatible infill development. These buildings, regardless of their status as being historically significant, are an integral part of the city's urban fabric. Current regulatory mechanisms limit the evolution of such structures to adapt to changing community needs, which include quality and affordable multi-family housing. These amendments would provide relief to developers and facilitate the adaptive reuse of currently underutilized sites.

#### **VII. PLANNING BOARD RECOMMENDATION**

On April 17, 2018, the Planning Board voted unanimously (6-0, Silk recused) to find the proposed text amendments consistent with the Comprehensive Plan and to recommend the ordinance amendment for adoption by the City Council.

#### **VIII. LIST ATTACHMENTS**

Planning Board Report to City Council  
Public Comment

Prepared by: Matthew Grooms, Planner  
Date: April 26, 2018



# PLANNING BOARD REPORT TO CITY COUNCIL PORTLAND, MAINE

Division 4 and Division 6. R-3 and R-5 Residential Zones Text Amendment  
Developers Collaborative Redevelopment, LLC, Applicant

Submitted to: Portland City Council from the Planning Board Public Hearing Date: May 14, 2018	Prepared by: Matthew Grooms, Planner Date: April 26, 2018
---	--

## I. INTRODUCTION

Based upon existing conditional use language found within the R-5 Residential Zone, Developers Collaborative Redevelopment, LLC is proposing a text amendment to the R-3 Residential Zone in support of a multi-family housing project being considered for the historic Reed School property located at 19 Libby Street in the Riverton neighborhood. The proposed amendment would permit the alteration of structures existing and not in residential use as of January 1, 1984, to be adaptively reused for residential uses. Zone specific conditional use standards being proposed restrict new building additions and include standards related to site design, screening of site features, allowable locations for residential units, parking standards and residential unit density. The City, in working with the applicant, is also proposing removal of a minimum unit size standard from the comparable R-5 conditional use, based upon Planning Board feedback. In its Public Hearing on April 17<sup>th</sup>, the Planning Board voted unanimously to recommend to City Council the adoption of the proposed changes to Divisions 4 and 6, the R-3 and R-5 Residential zones.

**Applicant:** Developers Collaborative Redevelopment, LLC

**Consultants:** Pinkham and Greer, Archetype Architects, Cito Selinger, Curtis Thaxter

## II. BACKGROUND

The Reed School Re-Use Advisory Task Force was created in September of 2014 to make recommendations on process and future uses to insure a sensitive and contextual re-purposing of the property. The Task Force membership consisted of neighborhood representatives and members representing a diversity of professional and organizational perspectives, including District 5 Counselor David Brenerman and former District 5 Counselor John Coyne as co-chairs, representatives from the Planning



Figure 1: Project Site with Zoning Context



Figure 2: 1926 building at right with 1950 portion connected at left

Board, Portland Society for Architecture, GPCOG, Greater Portland Landmarks, Portland Trails, the Parks Commission, the State Representative for District #116, and a Workforce Housing specialist. The Reed School property has been a distinct presence in the Riverton neighborhood since its inception in 1926, when it served as the area elementary school. In later years it served as the central kitchen and a warehouse for the Portland Public Schools. The property area is approximately 2.5 acres, a substantial portion of which is open space. The building consists of the original, 1926 structure (14,651 square feet), a 1950 addition (16,641 SF) that eventually came to house the commercial kitchen facilities, and a garage/loading area built in 1981 (2,400 SF). On June 24, 2014 the Portland Public Schools voted to authorize closing of the former Reed School and transfer of the school and grounds to the City of Portland, notifying the City Manager in a letter dated July 8, 2014. The building sits largely empty now, though there is serves as residual storage space, and as a space for periodic training space for the Fire Department, and the open space on the property remains a frequently used and valued amenity.

The Task Force met five times between November 2014 and June 2015 before submitting a final report (Attachment 1) to the Housing and Community Development Committee in July 2015. One of the key recommendations, as an outgrowth of the public input and Task Force deliberation, was to rezone the property from R-3 to R-5, as well as a text amendment to allow artist live/work space in the R-5 zone. This proposal went before the Planning Board in September of 2015 as a workshop item, and an RFQ was issued soliciting redevelopment proposals in line with the findings of the Advisory Committee's final report. Both responses to the RFQ included senior housing at the relatively higher densities of 40 or more units. Public comment was generally opposed to the increase in density being considered for this site, and as a result, the city sponsored text amendment did not move forward to a hearing.

Following the initial RFQ, an RFP was issued to solicit new proposals, out of which process Developers Collaborative was chosen. In June of 2017, Developers Collaborative Predevelopment, LLC entered into an agreement with the City to purchase the Reed School property and are proposing a two-phased project to redevelop the site as both a private school to be occupied by Children's Odyssey School, a special needs private school currently located at 110 Davis Farm Road, and multi-family housing with eight market rate apartments.

The first phase of this development, the Children's Odyssey School, was submitted as a Level I Site Alteration in October of 2017, and features redevelopment of the 1950 building addition to accommodate eight classrooms, administrative space, a kitchen, and internal play area. The 1981 addition is being demolished, and off-street parking for 75 vehicles is being provided. Other site improvements include site landscaping, development of an on-site stormwater management system, and construction of a playground. This project was approved administratively with



Figure 3: Project site with building additions identified by year constructed

conditions (tied largely to pedestrian improvements along Homestead Avenue) in January of 2018 (Attachment 2).

The proposed text amendment is in support of Phase II of this project, which features adaptive reuse of the 1926 building to house eight residential units. Parking for these units was accounted for with

the Phase I project, and the Phase II project will include limited site work, confined to the property's frontage along Homestead Avenue. Under the R-3 Residential Zone, multi-family housing is only permitted as a Planned Residential Unit Development (PRUD), which is defined as horizontally attached dwelling units or a series of such dwelling units. As a result, the proposed text amendments are necessary to redevelop this site to include multi-family housing.

### III. PLANNING BOARD RECOMMENDATION AND DISCUSSION

#### A. Recommendation

On April 19, 2018, the Planning Board voted unanimously (6-0, Silk recused) to recommend the proposed Division 4 and 6 amendments to City Council for adoption.

#### B. Board Discussion

The Planning Board held a workshop and public hearing on the proposed text amendments and expressed support for the concept of adaptively reusing non-residential building for multi-family residential uses. At the workshop, staff and the applicant were directed to provide additional information regarding other impacted properties, the appropriateness of the proposed density standard and the possibility of including a standard to limit new building additions. Additionally, it was determined that the minimum unit size standard should be removed from the proposal, and then struck from the comparable R-5 conditional use. Following the workshop, the staff compiled a list of all eligible properties and prepared a map showing those properties based upon land use. Using this information, it was determined that the proposed lot

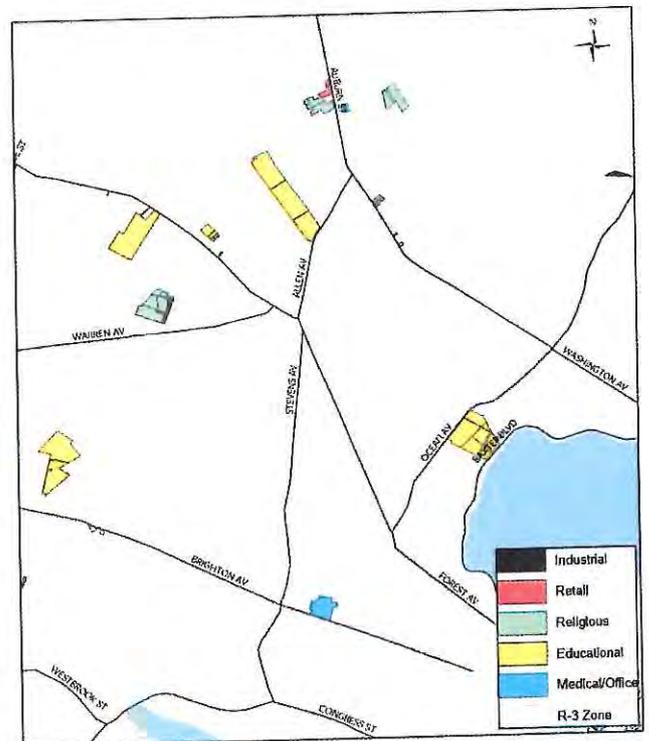


Figure 4: Location of all non-residential properties in R-3 zone

area per dwelling unit requirement of 3,000 square feet, identical to the density restriction for the comparable R-5 conditional use, was appropriate, as eligible R-3 properties shared more in common with non-residential properties found in other zones, including the R-5 zone, than the permitted uses located within the R-3. Finally, the staff revised the building addition standard, to limit the size of new additions to 25% of the total existing floor area, so as to provide developers with some flexibility while significantly restricting new expansions. The revised amendments were then taken back to the Planning Board for a public hearing. In that meeting, members of the Board asked for clarification regarding the term ‘addition’ where the staff reaffirmed that the term applied only to attached new expansions, and that stand alone new structures would not be permitted as the conditional use relates only to re-use of existing buildings. Also in regards to building additions, the Board asked that the phrase “compatible with the existing structure” be changed to “complementary with the existing structure”, which is now being suggested.

#### IV. PROPOSED TEXT AMENDMENT

As described under Division 4, R-3 Residential Zone, the purpose of the R-3 residential zone is to provide for medium-density residential development characterized by single-family homes on individual lots and planned residential unit developments on substantially sized parcels. In other zoning districts, notably within the R-5 Residential district, there is a conditional use standard which enables existing structures previously used for non-residential purposes to be redeveloped to accommodate residential uses. Across the city, there are a variety of buildings that were initially developed to house commercial, industrial and institutional uses, that are no longer needed to serve those roles. These buildings already exist within Portland’s built environment, and oftentimes feature supporting infrastructure capable of handling higher intensity uses than single-family residential dwellings. For example, these sites may contain substantial off-street parking, driveways built to city standards for two-way access, and existing in-place utility connections suited to larger-scale residential developments. As reflected in the public comment included within the Reed School Re-Use Advisory Task Force Final Report, these buildings are vital to the identity and character of Portland’s neighborhoods and are worth saving through adaptive reuse.

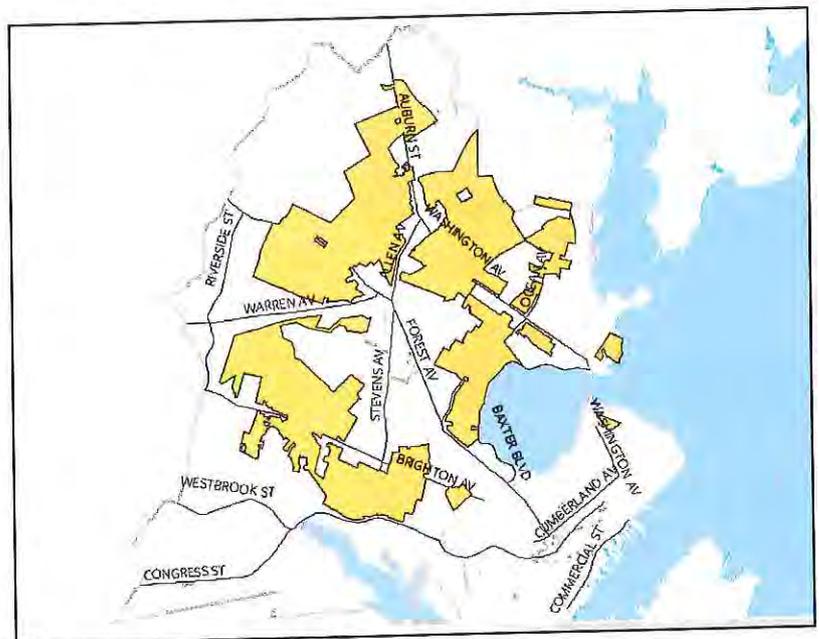


Figure 5: Location of R-3 Zones

The proposed amendment takes existing language from the R-5 Residential Zone, listed under Section 14-118(a).3. and adds this language to the conditional use section for the R-3 under Section 14-88. Under this proposed amendment, the standard related to minimum unit size as contained within the R-5 conditional use, would be removed. Otherwise, these standards limit redevelopment by setting a maximum unit density, delineating unit locations (predominantly above grade), and restricting outward redevelopment of a building to be generally compatible with the existing structure and surrounding neighborhood. This last standard, related to building additions, has been modified based upon Planning Board feedback, to ensure that an addition takes into account neighborhood context, and further limits the size of the addition to 25% of the existing gross total floor area. The rationale for this change, is to prevent a developer from significantly expanding an existing non-residential structure to accommodate additional dwelling units.

The proposed amendment is as follows. Note, the text that has been striked through denotes text to be removed

from both the R-3 and R-5, and the text in red denotes text that is not currently found within the R-5 conditional use standard that has been added to address board and public concerns regarding density and project contextuality. This text is to be added to only the R-3 zone.

3. Alteration of a structure existing and not in residential use as of January 1, 1984, to three (3) or more dwelling units, provided that:

- a. No dwelling unit shall have less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic;
- b. No open outside stairways or fire escapes above the ground floor shall be constructed or have been constructed in the immediately preceding five (5) years;
- c. A lower level dwelling unit shall have a minimum of one-half of its floor-to-ceiling height above the average adjoining ground level;
- d. Three thousand (3,000) square feet of land area per dwelling unit shall be required;
- e. On-site parking shall be required as specified in division 20 (off-street parking) of this article, for the combined uses of the site;
- f. The project shall be subject to article V (site plan) of this chapter for site plan review and approval and the following additional standards:
  1. Any addition or exterior alterations such as facade materials, building form, and roof pitch shall be designed to be complementary with the architectural style of the structure and shall be limited to a gross floor area equal to or less than 25% of the total existing floor area as of [insert date of adoption];
  2. The scale and surface area of parking, driveways, and paved areas shall be arranged and landscaped to be compatible in size and scale with neighboring properties in the area and to properly screen vehicles from adjacent properties and streets.

#### IV. ZONING ANALYSIS

##### A. Conditional Use Discussion

The 2015 proposal that was brought to the Planning Board involved a map amendment to rezone the Reed School property to R-5 Residential, which would have expanded the list of allowable uses, reduced dimensional restrictions and permitted increased residential density. The approach taken by Developers Collaborative is to amend the R-3 text to allow for adaptive reuse of existing buildings not originally intended for residential use, a simpler more streamlined solution catered to such properties throughout the R-3 zone, which under current zoning, are limited in terms of redevelopment potential. For example, permitted uses within the R-3 consist of single-family residential, PRUD style multi-family residential developments, parks and municipal uses. Conditional uses meanwhile consist of group homes, schools, places of assembly, hospitals, and both long-term and intermediate care facilities.

Within the City of Portland, it is well-recognized that the demand for housing is increasing. The conditional use language being proposed offers an alternative option for redevelopment of vacant or underutilized properties within this zone and furthers the City's goal of increasing housing opportunities within appropriate locations. Perhaps most

importantly, the amendment features greater oversight than would an amendment to permit multi-family housing explicitly.

The challenge inherent with the Reed School property and others like it is that it is entirely surrounded by relatively low-density single-family housing, and that the building itself was designed to accommodate more intense uses serving the neighborhood than permitted elsewhere within the vicinity. For example, Reed School is situated with frontage on two local streets of limited traffic volume. Along Homestead Avenue, sidewalks are in substandard condition and there are no public sidewalks along Libby Street. Institutional uses permitted within the R-3 are designated as conditional uses which are held to a variety of additional standards, listed as either zone specific standards which for the R-3 can be found under 14-88, or as general standards, listed under 14-474. A conditional use is reviewed as a separate application by either the Planning Board or the Zoning Board of Appeals.

The conditional use standards are varied depending upon the proposed use. For example, the proposed text amendment constitutes the zone specific conditional use standards for the alteration of a structure previously not in residential use for multi-family residential use. The general standards for all conditional uses (14-474), are intended to limit negative externalities and ensure contextuality with surrounding permitted uses. Those standards are as follows:

*Standards. The Board shall, after review of required materials, authorize issuance of a conditional use permit, upon a showing that the proposed use, at the size and intensity contemplated at the proposed location, will not have substantially greater negative impacts than would normally occur from surrounding uses or other allowable uses in the same zoning district. The Board shall find that this standard is satisfied if it finds that:*

- a. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and*
- b. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and*
- c. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.*

If adopted, these text changes would enable redevelopment of the Reed School site and other nonresidential sites for residential uses, however they would also provide considerable regulatory mechanisms for thorough review of the project proposal and ample opportunity for public input. Ultimately, property owners are offered increased flexibility in the reuse of their previously institutional, commercial or industrial sites located within this zone, but are required to undergo a more rigorous review process with greater oversight by staff and the designated review body so as to facilitate greater project integration within the surrounding community.

#### **B. Proposed Standards Discussion**

As mentioned previously, the proposed standard is based upon the R-5 Residential Zone Conditional Use section; however the Board are proposing a few edits addressing neighborhood compatibility. The amendments are intended to permit redevelopment of existing buildings with very limited redevelopment of a building's exterior. Residential units are required to be of a sufficient size, and must be located predominantly above grade to ensure adequate lighting and minimum requirements for ingress and egress. Off-street parking is required in accordance with Division 20, and is subject to the proposed use.

The proposed text amendments apply a land area per dwelling unit requirement of 3,000 square feet, which is the

same standard that applies to the R-5, a zone which permits relatively greater density when compared with the R-3. For example, the R-5 does permit low-density multi-family developments, with a lot area per dwelling unit requirement of 6,000 square feet and PRUDs at a lot area per dwelling unit requirement of 3,000 square feet, the same requirement as listed for the adaptive reuse standard. The R-3 meanwhile, only permits PRUD style multi-family projects, and only at a density of one unit per 6,500 square feet of lot area. Although the PRUD standards differ between the R-3 and R-5 zones, the Board is suggesting that the lot area per dwelling unit standard remain at 3,000 square feet, given that non-residential structures within the R-3 share little in common with other permitted uses.

In evaluating this question about density, the Council should consider that existing structures appropriate for reuse, such as historic schools, share more common elements with other existing schools, regardless of the zoning district in which they are located. If a building is adequately sized and existing infrastructure is already in place (i.e. ample off-street parking, sufficient on-site circulation and appropriately scaled street connections) then those sites may be unfairly handicapped by an onerous limit on unit density. Reed School for example, would be permitted 16 units under a lot area per dwelling unit requirement of 6,500 square feet and 37 units under a 3,000 square foot requirement. The development site has sufficient parking to accommodate the higher density alternative, and the trip generation of a residential project of that scale is less than that of a school of comparable size. Hence, a 37-unit project may ultimately be contextually appropriate. In this particular instance, it is important to note that the size of the building itself is the limiting factor and that it could not accommodate 37 residential units without a major addition on to the existing building or reuse of the 1950 addition for residential uses. Another recent example of the use of these provisions is the reuse of the Sisters of Mercy Convent on Stevens Avenue. As the Council may recall, the applicant sought a map amendment to the R-5 for that site in order to convert the convent to housing and to further develop the site for new elderly housing. Rather than increasing the overall density, the Board is recommending a new standard which limits the extent of new addition to 25% of the total floor area, so that a project may not significantly expand upon an existing structure for reuse.

## V. COMPREHENSIVE PLAN

While it is difficult to summarize eligible properties, given their extensive variations in character and location, this text amendment would support the City's goal to encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods. In looking at the list of eligible properties, it is apparent that nearly all such properties are well situated to take advantage of Portland's amenities and services as these sites were largely community serving institutions. The Reed School for example is in many ways an anchor of the Riverton neighborhood, and other eligible properties share similar characteristics. A number of these facilities are underutilized or vacant and are inherently difficult to redevelop given the limited demand for new neighborhood institutional uses. Allowing for the redevelopment of these properties for multi-family residential uses provides higher density housing within neighborhood nodes and corridors in a sustainable and cost-effective manner, cognizant of the benefits of infill development.

And while existing properties eligible for redevelopment are not all considered to be of historic significance, this text amendment provides the impetus to achieve another of the city's goals located within the Historic Resources section, which is to stabilize and enhance historic areas of the City by ensuring quality investment in existing structures and compatible infill development. These buildings, regardless of their status as being historically significant, are an integral part of the city's urban fabric. Current regulatory mechanisms limit the evolution of such structures to adapt to changing community needs, which include quality and affordable multi-family housing. These amendments would provide relief to developers and facilitate the adaptive reuse of currently underutilized sites.



Figure 6: Brighton Medical Center



Figure 7: First Lutheran Church

There are a variety of goals identified within the Comprehensive Plan that appear to supportive of and supported by this text amendment.

Under Historic Resources, goals that are being met are as follows:

- Stabilize and enhance historic areas of the City by ensuring quality investment in existing structures and compatible infill development
- Ensure an appropriate balance of continuity and change as Portland grows and evolves

Under Housing, goals being met are as follows:

- Increase, preserve and modify the overall supply of housing City-wide to meet the needs, preferences and financial capabilities of all Portland households
- Pursue policies to enable people who work in Portland to have the option to live in Portland

#### VI. PUBLIC COMMENT

The City received one public comment from Greater Portland Landmarks in support of the proposed text amendments, particularly in providing flexibility to property owners whose existing non-residential building has outgrown its historic use (Attachment 10).

#### VII. STAFF RECOMMENDATION

The staff recommends that the Planning Board find the proposed text amendments to be consistent with the Comprehensive Plan and recommend to the City Council adoption of the proposed text amendments.

#### VIII. PLANNING BOARD RECOMMENDATION

On April 17, 2018, the Planning Board voted unanimously (6-0, Silk Recused) to recommend the proposed Division 4 and Division 6 amendments to City Council for adoption.

#### VII. ATTACHMENTS

1. Advisory task force final report
2. Reed school level I approval letter
3. Text amendment application
4. Proposed text amendment (R-3)
5. Proposed text amendment (R-5)
6. Proposed site plan for reed school redevelopment
7. Proposed floor plans for residential units

8. List of non-residential properties in the R-3 zone
9. Map of non-residential properties in the R-3 zone
10. Public Comment: Greater Portland Landmarks

# Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

Produced by the Planning & Urban Development Department, Planning Division  
7/1/2015



## Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

### Acknowledgements

#### **Taskforce Members**

Councilor David Brenerman, John Coyne, Co-Chairs  
HCDC Committee Liaison Designee - David Brenerman  
Portland Planning Board Designee - Sean Dundon  
Portland Trails Designee - Kara Wooldrik  
Workforce Housing Designee - Jan McCormick  
Portland Society for Architecture Designee - Leslie Burnham  
Greater Portland Landmarks Designee - Hilary Bassett  
GPCOG Designee - Rebecca Schaffner  
Denise Harlow, State Representative, District #116  
Parks Commission Designee - Steve Morgenstein  
Elise Scala - Neighborhood Resident  
Hillary Krapf - Neighborhood Resident  
Dyan Albano - Neighborhood Resident  
Mark Johnson - Neighborhood Resident  
Andrew Bowman - Neighborhood Resident

#### **Housing and Community Development Committee**

Kevin J. Donoghue, Chair  
David Brenerman, Vice Chair  
Nicholas M. Mavodones Jr.  
David Marshall

#### **City Staff**

Jeff Levine, Director of Planning and Urban Development  
Christine Grimando, Senior Planner  
Jennifer Munson, Office Manager

Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

<b>I.</b>	<b>EXECUTIVE SUMMARY</b>	<b>page 3</b>
<b>II.</b>	<b>RECOMMENDATIONS ON USE, CRITERIA, AND PROCESS</b>	<b>page 6</b>
<b>III.</b>	<b>REED SCHOOL RE-USE NEXT STEPS</b>	<b>page 13</b>
<b>IV.</b>	<b>APPENDICES</b>	<b>page 14</b>
	a. Meeting Flyers	
	b. Press Release	
	c. Public Meeting Results	
	d. R3/R5 Comparison Tables	
	e. Property Transfer Letter	
	f. MHPD Letter	
	g. Written Public Comment	
	h. Meeting Notice	
	i. Draft RFQ	

## I. EXECUTIVE SUMMARY

The Reed School property has been a distinct presence in the Riverton neighborhood since its inception in 1926, when it served as the area elementary school. In later years it served as the central kitchen and a warehouse for the Portland Public Schools. On June 24, 2014 the Portland Board of Public Education voted to authorize closing of the former Reed School and transfer of the school and grounds to the City of Portland, notifying the City on July 8, 2014. The building sits largely empty now, but it remains an integral part of the neighborhood's fabric and history, and in the case of the open space on the site, it remains a frequently used and valued amenity.

The Reed School Re-Use Advisory Task Force was created in September of 2014 with a diverse membership, consisting of neighborhood representatives and members representing a diversity of professional and organizational perspectives, including District 5 Counselor David Brenerman and former District 5 Counselor John Coyne as co-chairs, representatives from Portland Society for Architecture, Greater Portland Landmarks, Portland Trails, the Parks Commission, the State Representative for District #116, and a Workforce Housing specialist to make recommendations on process and future uses to insure a sensitive and contextual re-activation of the property. The Task Force met five times between November 2014 and June 2015, with an additional meeting by a drafting subcommittee to review drafts of the recommendations. The Task Force's charge was to provide recommendations on the future of the Reed School property, including the building and the grounds. Originally an elementary school, the Reed School served for many years as the central kitchen for the Portland Public Schools, until that function was transferred to Waldron Way in 2013. The property is not currently in active use, though it continues to be used for intermittent safety trainings and residual storage; the grounds, though unmaintained, serve as informal and important neighborhood open space. The Task Force held a site visit, 5 meetings, including a public forum, and a drafting subcommittee met to work with Planning staff on earlier iterations of this report. The Reed School Re-Use Advisory Task Force presents these recommendations on uses for the property, criteria for review of proposals, and the review process to the Housing and Community Development Committee for their consideration and fulfillment of their charge as assigned by the City Council.

Below is a summary of the Task Force's key recommendations:

- Rezone the property from R-3 to R-5, and include a text amendment to the R-5 zone allowing artist live/work space.
- Provide preference for proposals generally consistent with the R-5 zone.
- Require that all proposals substantially preserve the existing open space as a publically accessible neighborhood amenity.
- Designate the building as a Portland City Landmark.
- Conduct a two-tier solicitation process consisting of a Request for Qualifications followed by a detailed Request for Proposals from up to five top ranked development teams.
- Give preference to the uses that were identified by the Task Force, including residential uses, combined living/working spaces, educational uses, and wellness-related uses.

## Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

These recommendations support the following central themes that arose over the course of a thorough and deliberative planning process:

**Historic Preservation.** Retention of the original building received support from the Task Force, and in the Public Forum results. The Maine Historic Preservation Commission has found both the original, 1926 structure, and the 1950 addition to be eligible for nomination to the National Register of Historic Places. These were found eligible for their combined architectural significance, as examples of two distinct types of school styles built before and after WWII, and for the way in which the building speaks to the neighborhood's post-War development. Though the retention of the original structure received the most consistent support, both this and the 1950s addition are recommended for designation as a locally designated historic landmark. It was suggested, in feedback received at Task Force meetings, that there might be particular structural challenges with repurposing the 1950 addition; the Task Force is consequently prioritizing re-use of the original structure in their recommendation, and deferring to a determination on feasibility for the 1950 addition.

In addition to recognizing that the Reed School building is architecturally valuable to the community, historic preservation gained support to the extent it would insure a significant amount of design review by the Historic Preservation Board when the site is redeveloped. As a building that has long been part of the fabric and history of the neighborhood, but one that stands in contrast to the predominantly single family neighborhood immediately abutting it, the quality of the redevelopment of the existing building, and any potential modifications or additions, should be held to high design standards.

**Open Space.** The most consistent feedback received regarding the re-use of the site was the value of the existing open space is to the community, and how important it is to retain as much of this as practicable as a publically accessible amenity. Apart from nearby school grounds, there is no parkland within a ½ mile radius of the property, nothing that provides a comparable service. Even in its unimproved state, it is frequently utilized. A number of specific variations on the future of the open space were discussed, such as ball fields, gardens, playgrounds, passive recreation area, or a combination of one or more of these suggestions.

**Neighborhood Compatibility.** The Task Force recommendations recognize that the preservation of the building and the preservation of a significant amount of contiguous open space are interrelated goals that require allowing for a greater residential density, and a greater diversity of possible uses, than would have otherwise been supported. The recommendations assume that in order for the redevelopment of the structure to be viable, while also including preservation of open space, a certain amount of flexibility and additional development potential is required. There was discussion over the course of the planning process about allowing certain small scale commercial uses, such as cafes, on the site. However, out of deference to the residential character of the neighborhood, there was most support for the property being made part of the R-5 zone, a somewhat more permissive residential zone than the R-3. There was a great deal of support for allowing for the possibility of a redevelopment that would incorporate community space, artist space, or some creative interpretation of new housing, as well as support for day care, senior care, and varied educational uses. All of these articulations of support were framed by the desire for new activities on the site to be sensitive to the surrounding community in terms of incorporating

## Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

excellent design, and introducing improvements that do not unreasonably impact the character and vitality of the area.

## II. RECOMMENDATIONS ON USE, CRITERIA, AND PROCESS

### INTRODUCTION

The Reed School Re-Use Advisory Task Force was created by the City Council on September 15, 2014 to provide recommendations on the future of the Reed School property, including the building and the grounds, at 19 Libby Street. The Portland Public Schools transferred control of the property to the City in July 2014. Originally an elementary school, the Reed School served for many years as the central kitchen for the Portland Public Schools, until that function was transferred to Waldron Way in 2013. The property is not currently in active use, though it continues to be used for intermittent safety trainings and residual storage; the grounds, though unmaintained, continue to serve as informal and important neighborhood open space. The Task Force held a site visit, 5 meetings, including a public forum, and a drafting subcommittee met to work with Planning staff on draft versions of this report. The Reed School Re-Use Advisory Task Force presents these recommendations on uses for the property, criteria for review of proposals, and the review process to the Housing and Community Development Committee for their consideration and fulfillment of their charge as assigned by the City Council.

The document is structured according to the charge to the Task Force established by the City Council and is organized by:

- A. Use
- B. Criteria
- C. Process

The language is largely framed as might be found in a request for proposals document to ensure that the Task Force's recommendations may be specifically utilized in the request and evaluation of proposals. In drafting an RFP document, the organization will likely require amendment.

### RECOMMENDATIONS

#### A. USES

##### I. Generally

Re-use of the Reed School building and property is intended to support and enhance the integrity of the surrounding neighborhood. Proposals for re-use of the property will show consistency with this intent by sensitively preserving the building and introducing new uses, occupants, and improvements that do not unreasonably impact the character and vitality of the area.

##### II. Zoning

The Reed School property is located in the R-3 residential zone, which provides uses, residential density, and dimensional standards consistent with the predominant neighborhood character, but in contrast to the Reed School site. Due to the distinct nature of this property, the Task Force is recommending that this parcel be rezoned to the R-5

## Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

Residential Zone, as a zone that better fits the anticipated future redevelopment of this site in regard to permitted uses and dimensional standards. In addition to the zoning map change, in response to public input received, the Task Force is recommending a text amendment to allow for the following residential use: *Combined living/working spaces including, but not limited to, artist residences with studio space.*

Unlike the current R-3 zone, the R-5 allows for repurposing the existing building, including the 1926 original structure, and potentially the mid-century one story addition. As a character defining feature of the neighborhood, and of the City's and Riverton's history, enabling creative repurposing of the original structure, and possibly the 1950 addition, is a central component of these recommendations. Consideration of proposals that require additional zoning changes, or that alternately propose a contract zone for the property, will be reviewed in relation to their consistency with the prioritized uses and criteria below.

### III. Uses Encouraged

The following uses are specifically encouraged to compatibly add value, vitality and interest to the Reed School property and surrounding neighborhood.

- a. Publicly accessible, contiguous open space that incorporates community gardens, playground, or a compelling combination of active and passive recreation areas.
- b. Residential uses, including multi-family residential and senior housing, particularly those that help preserve the economic and physical character of the neighborhood.
- c. Combined living/working spaces, including but not limited to artist residences with studio space.
- d. Educational uses such as arts education, early childhood education or care, research and continuing education.
- e. Wellness-related uses such as adult day care or childcare.
- f. Community spaces such as art studios or a community center.
- g. Creative mix of uses that protect and enhance the character and vitality of the neighborhood, provided the mix is a low impact, low traffic combination.

### IV. Uses Discouraged

The following uses are strongly discouraged:

- a. High intensity commercial, industrial, and/or institutional uses or those that include a large amount of traffic, parking, and, external impacts;
- b. Residential unit counts that are drastically higher density than allowed under the R-5 zone are discouraged.

### B. CRITERIA

The City will accept and rate Developer Team proposals for re-use of the Reed School property using the following criteria:

#### I. Thresholds for Evaluating Developer Qualifications

Prior to requesting full proposals for re-use and development of the Reed School property, Development Teams shall submit qualifications to the City. This documentation shall include the following information in order to be considered:

## Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

### a. *Development Team*

Identify the principal members of the development team and their respective roles in the project.

### b. *Program and Redevelopment Description*

Provide a conceptual development and re-use narrative including goals, program, business plan and timeline for the development.

### c. *Development team experience and financial capacity*

The Qualifications shall include documentation demonstrating that the development team can complete and operate the concept development by supplying:

1. Letters of financial capability from credible financial institutions with experience working with principles of the development team; and,
2. Descriptions and examples of comparable projects or endeavors demonstrating adequate experience and expertise of the development team to successfully complete and operate the proposal.

## II. **Criteria for Evaluating Qualifications**

The city will apply the following criteria to rate competing Developer Team qualifications for selection to submit full proposals.

### a. *Use*

The uses described in the conceptual development and re-use narrative are consistent with Section A., Uses, above;

### b. *Financial Strength and Experience of the Development Team*

The Development Team has the experience, financial capacity and a proven track record to confidently achieve the goals and program(s) described in the conceptual development and re-use narrative.

## III. **Requirements for Full Proposals**

All proposals shall include information and documentation of the following in order to be considered:

### a. *Development Team*

The proposal shall identify the principal members of the development team and their respective roles in the project.

### b. *Restoration of Building*

The proposal shall describe commitments and measures to protect the short-term and long-term integrity of the building that at a minimum:

1. Address the stability and safety of the building by immediately protecting the structure from further deterioration.

## Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

2. Preserve the structural and architectural integrity of the building consistent with established historic preservation standards.

c. ***Publicly Accessible Open Space***

Publicly accessible open space shall be incorporated into all proposals.

Proposals that require the land area included in the open spaces and or play areas for residential density requirements under the R-5 zoning may propose public access easements or other methods to preserve the maximum residential density allowed. Residential projects proposing that the City retain fee ownership of open areas would either lose residential density potential, or would require a zone change to allow higher residential density on the residual project site, which would need to be evaluated for consistency with these recommendations.

d. ***Program and Redevelopment Description***

The proposal shall include a detailed description of the uses and development of the property including sufficient detail for the City to understand the intent of the proposal and a zoning assessment for consistency with the R-5 zone. At a minimum the proposal shall include:

1. A re-use narrative describing the development program for interior and exterior uses of the property;
2. Sketch level or conceptual drawings showing proposed improvements including floor plans, elevations, additions, new structures, publicly accessible areas, landscaping, parking, site lighting, fencing, and other site features; and,
3. A project business plan, market analysis, time line, and development pro forma demonstrating the long-term success and viability of the project.
4. A summary of where the proposal differs with what is permitted in the R-5 zone, if applicable.
5. Indication of intent to preserve solely the original structure or intent to preserve this and the 1950 addition, as well as indication whether there is intent to pursue nomination to the National Register of Historic Places for the same.

e. ***Purchase Offer, Estimated Project Value, and Property Tax Impact to the City***

The proposal shall include:

1. The purchase offer to the City;
2. Description & estimated cost of the proposed improvements;
3. Estimated post-development property value;
4. Estimated net and gross property tax impacts to the City;
5. Any financial support requested from the City for the project.

f. ***Financial and Technical Capability***

The proposal shall include documentation demonstrating that the development team can complete and operate the proposal as described in (b),(c)and (d) above by supplying:

## Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

1. Letters of financial capability from credible financial institutions with experience working with principles of the development team; and,
2. Descriptions and examples of comparable projects or endeavors demonstrating adequate experience and expertise of the development team to successfully complete and operate the proposal.

### IV. Criteria for Prioritizing Full Proposals:

The city will apply the following criteria to rate competing proposals. Primary criteria are given greater than secondary, but all criteria represent important considerations when evaluating and selecting a preferred proposal. All proposals must demonstrate sufficient strength of financial and technical capability and the project business plan to successfully complete the project in a timely manner in order to be considered.

The Reed School Re-Use Advisory Task Force suggests the following weights be given in evaluation of the proposals to the criteria below:

#### a. *Primary Criteria*

The Proposal:

1. Promotes a positive impact on the neighborhood as demonstrated by specific commitments within the proposal. The character, vitality and property value of the neighborhood will be protected and enhanced by the proposal. Any new construction shall respond to the physical qualities of a site and complement the scale, character and style of the surrounding neighborhood. **(25%)**
2. Provides a neighborhood amenity. Proposals including a greater extent and higher quality of publically accessible open space will be given a higher preference. Proposals that include a portion of community oriented space within the building will also be considered favorably. All open space proposals shall include a significant portion of contiguous open space on the Libby Street facing side of the property, retaining the historic site layout of the property to the greatest extent practicable. **(20%)**
3. Contains one or more of the encouraged uses listed in A.III, above in addition to the publically accessible open space indicated in A.III.a. **(25%)**
4. Contains a portion of workforce dwelling units (workforce here refers to housing units that a household earning 100% of the county's median income can afford, assuming they spend no more than 30% of their income for housing. This is currently approximately \$75,000 for a family of four) in the event of a proposal for new housing. **(15%)**

Note: Mixed use proposals that are not consistent with the R-5 zone will be considered, but must demonstrate compatibility with the building, the neighborhood and the City's Comprehensive Plan.

#### b. *Secondary Criteria:*

## Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

Note: When applying the secondary criteria below, the weight of any single or collective secondary criteria shall not outweigh any single primary criteria above.

1. Purchase price
2. Benefits to the City tax base

**Secondary criteria 1 and 2 combine for 15% weight in the evaluation of the proposals.**

### C. RECOMMENDED PROCESS FOR REQUESTS FOR AND REVIEW OF PROPOSALS

The Reed School Re-Use Advisory Task Force recommends the following process steps to ensure the appropriate re-use and long-term stewardship of the property:

#### I. Historic Landmark Designation

The Task Force recommends that the original structure, as well as the 1950 addition if found to be practicable, be retained and that the City Council immediately begins the process of designating the building as an individually listed historic landmark. Landmark designation will manage change to the building and potential impacts to the surrounding neighborhood, as well as provide clear assurances that the character defining features of the structure will be preserved.

#### II. Rezoning of Reed School Property

The Task Force recommends that the City initiate a Zoning map amendment to the Reed School property, from R-3 to R-5, and a Zoning text amendment to allow for *Combined living/working spaces including, but not limited to, artist residences with studio space.*

#### III. Request for Qualifications

As soon as possible, the City should widely advertise and aggressively promote a request for qualifications (RFQ) from developers and institutions with interest in re-use of the Reed School property. The intent is to generate as much interest as possible from a wide and diverse cross-section of developer and institutional interests by providing a low threshold for entry to the process.

Interested parties would be asked to submit a concept development and re-use narrative, a conceptual business plan, development timeline, and development team qualifications and financial capabilities. The RFQ would not require detailed architectural drawings or development pro formas as the generation of such documents are expensive and may provide a barrier or disincentive for otherwise interested teams to submit.

In publicizing the RFQ, the City should utilize conventional and new media, as well as press releases and direct outreach to the development community. Sufficient time should be allowed between the issuance of the RFQ and the deadline for submittal to encourage diverse teams to collaborate and craft creative development concepts that meet the intent and specifics outlined in A and B above.

#### IV. Request for Proposals

## Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

From 5 or fewer top ranked development teams identified through the Request for Qualifications, the City should request full proposals for re-use of the Reed School property to be evaluated according to the specifics outlined in A and B above.

### V. Review of Proposals

The Task Force recommends that a Proposal Review Committee be appointed to evaluate proposals against the criteria established herein. In addition to City staff members from Purchasing, Finance, and Planning, the Review Committee shall be comprised of community representatives including a neighborhood representative, a design professional, Greater Portland Landmarks, and a real estate professional. The Review Committee shall report their findings and recommendations back to HCDC at an advertised public hearing.

The HCDC's recommendation should be reported to the City Council for adoption and direction to the City Manager's Office to negotiate the final terms of sale of the property.

Public participation and testimony will be encouraged at both the HCDC's meetings the and City Council's public hearings through use of the City's website and use of the interested parties email addresses generated through the Reed School Re-Use Task Force process.

## Final Recommendations and Report of the Reed School Re-Use Advisory Task Force

---

### III. REED SCHOOL RE-USE NEXT STEPS AND TENTATIVE TIMELINE

<b>July 8, 2015</b>	HCDC Review of Task Force Recommendations
<b>July 2015</b>	Initiate Rezoning Process with Planning Board Initiate Historic Landmark Designation Process (Historic Preservation Board, Planning Board, City Council, 6 month min.) Submit Application for Municipal Brownfields Site Assessment Funding Draft Request for Qualifications (RFQ) and Request for Proposals and (RFP) Documents Issue RFQ
<b>August 2015</b>	Appointment of Proposal Review Committee RFQ Due
<b>September 2015</b>	Select Limited # of Development Teams to submit full proposals guided by RFP document
<b>Nov./Dec. 2015</b>	Full Proposals Due
<b>January 2016</b>	Review Committee evaluates proposals/interviews Development Teams
<b>February 2016</b>	Review Committee recommends lead proposal to HCDC HCDC votes to recommend lead proposal to City Council
<b>March 2016</b>	City Council reviews HCDC Recommendation and votes to direct the City Manager to negotiate sale of the Reed School property based on the conditions and specifications outlined in the selected proposal.
<b>April 2016</b>	Reed School property ownership transfers to the development team

IV. APPENDICES



The Reed School Re-Use Advisory Task Force will hold a site visit at the former Reed School, 28 Homestead Avenue, on Thursday, November 20<sup>th</sup>, at 4:00 PM. The site visit will be immediately followed by a meeting at 5:00 PM in the Riverton Elementary School Community Room, 1600 Forest Avenue.

The Reed School Re-Use Advisory Task Force was established to:

- Report potential uses of the property;
- Develop criteria for making final recommendations on the preferred uses of the property;
- Recommend a process to review proposals for re-use of the property; and
- Report findings to the City Council's Housing and Community Development Committee.

This is a first meeting of the Task Force. The meeting is open to the public. A future forum is planned specifically for public feedback on the future of the property, and invitations for that event will follow. A webpage on the project can be found at:

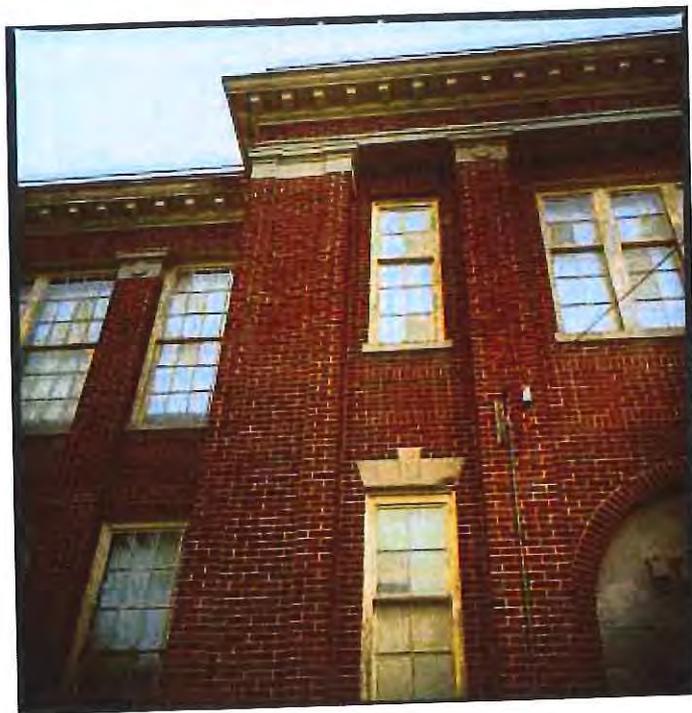
<http://www.portlandmaine.gov/1348/Reed-School-Reuse-Project>

For more information, please contact Christine Grimando at [cdg@portlandmaine.gov](mailto:cdg@portlandmaine.gov) or 207-874-8608.



**The Reed School Re-Use Advisory Task Force**  
meeting will be held in the Large Learning  
Room, accessed through the school's front  
entrance.

---



**What:** Reed School Re-Use Advisory Task Force  
**When:** May 21st, 6:30 PM  
**Where:** Riverton Elementary Large Learning Room  
1600 Forest Avenue

For More Information

---

Questions and comments regarding the re-use of the Reed School property can be forwarded to Christine Grimando, Senior Planner at (207) 874-8608 or emailed to [cdg@portlandmaine.gov](mailto:cdg@portlandmaine.gov).  
<http://www.portlandmaine.gov/1348/Reed-School-Reuse-Project#>



\*\*\*\*\* NOTICE \*\*\*\*\*  
of  
Public Meeting  
\*\*\*\*\*

**Reed School Re-Use:  
A Public Meeting on the Future Use of the Building and Grounds**

\*\*\*\*\*

The City of Portland and the Reed School Re-Use Advisory Task Force invite the public to provide input on the future of the former Reed School, located between Libby Street and Homestead Avenue in the Riverton neighborhood.

The Reed School facility consists of a 33,692 structure on approximately 2.5 acres. Originally a utilized as a school, it was more recently the central kitchen and warehouse for the Portland Public Schools. In June of 2014 the property was transferred from the Portland Public Schools to the City of Portland. The Task Force was created in September to report on preferred uses of the property, and develop criteria for prioritizing future review proposals for redevelopment of the property.

The Task Force and City Planning staff seeks opinions and insights from the Riverton neighborhood, design professionals, real estate professionals, and anyone interested in the future of this important property. At the Public Meeting, City of Portland staff and Task Force members will present information on building and neighborhood context, and a range of ideas that have been discussed for the building to date. The Public will be invited to provide additional ideas, for incorporation into the eventual recommendations on prioritized uses made by the Task Force to the City Council for consideration.

Questions and comments regarding the re-use of the Reed School property can be forwarded to Christine Grimando, Senior Planner at (207) 874-8608 or emailed to [cdg@portlandmaine.gov](mailto:cdg@portlandmaine.gov).

Background material for the process and meeting can be found at:

<http://www.portlandmaine.gov/1348/Reed-School-Reuse-Project>

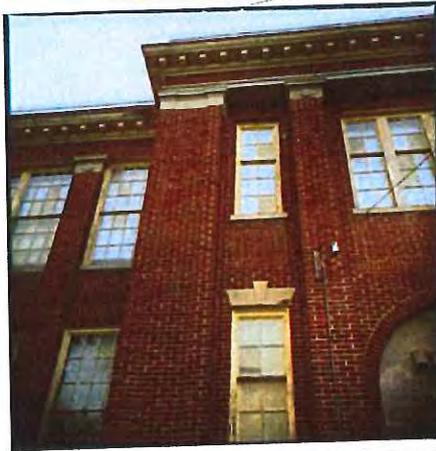
\*\*\*\*\*

What: Reed School Re-Use Public Meeting

When: January 29th, 6:30 to 8:00 pm

Where: Riverton Elementary School Community Room, 1600 Forest Avenue

## Reed School Public Meeting on Options for Re-Use



## Welcome and Introductions

### Reed School Re-Use Task Force Members

- John Coyne/Councillor David Brenerman, Co-Chairs
- HCDC Committee Liaison Designee - David Brenerman
- Portland Planning Board Designee - Sean Dundon
- Riverton Community Association Designees (2)
- Portland Trails Designee - Kara Woodrck
- Workforce Housing Designee - Jan McCormick
- Portland Society for Architecture Designee - Leslie Burnham
- Greater Portland Landmarks Designee - Hilary Bassett or Designee
- GPCOG Designee - Rebecca Schaffner
- Denise Harlow, State Representative, District #116
- Riverton Elementary PTO Designee - Gina MacVane or Designee
- Parks Commission Designee
- Parks Commission
- Elise Scala - Riverton resident

Reed School Students, ca. 1931.  
Collections of Maine Historical Society.

# Agenda

Welcome and Introductions of the Task Force  
Charge to the Task Force Review Agenda and Meeting Format  
Reed School Context  
Potential Re-Use Options for Building and Grounds  
*Break to distribute keypad voting clickers*  
Survey of Re-Use Options  
Discussion on Re-Use Voting Results  
Next Steps  
Adjourn

<http://www.portlandmaine.gov/1348/Reed-School-Reuse-Project#>

## Meeting Goals and Task Force Charge

The Reed School Re-Use Advisory Task Force was established to:

- ▲ Report potential uses of the property;
- ▲ Develop criteria for making final recommendations on the preferred uses of the property;
- ▲ Recommend a process to review proposals for re-use of the property; and
- ▲ Report findings to the City Council's Housing and Community Development Committee within six months of Task Force inception.



4

grape : raisin :: plum :

A. prune  
B. peach  
C. fig  
D. apricot

A 3D bar chart with a blue header. The chart has four bars on a grey base. The first bar, labeled 'prune', is green and reaches the 100% mark. The other three bars, labeled 'peach', 'fig', and 'apricot', are very short and labeled '0%'. The x-axis labels are 'prune', 'peach', 'fig', and 'apricot'. A small number '5' is at the bottom left of the chart area.

Option	Percentage
prune	100%
peach	0%
fig	0%
apricot	0%

### Recent Precedents

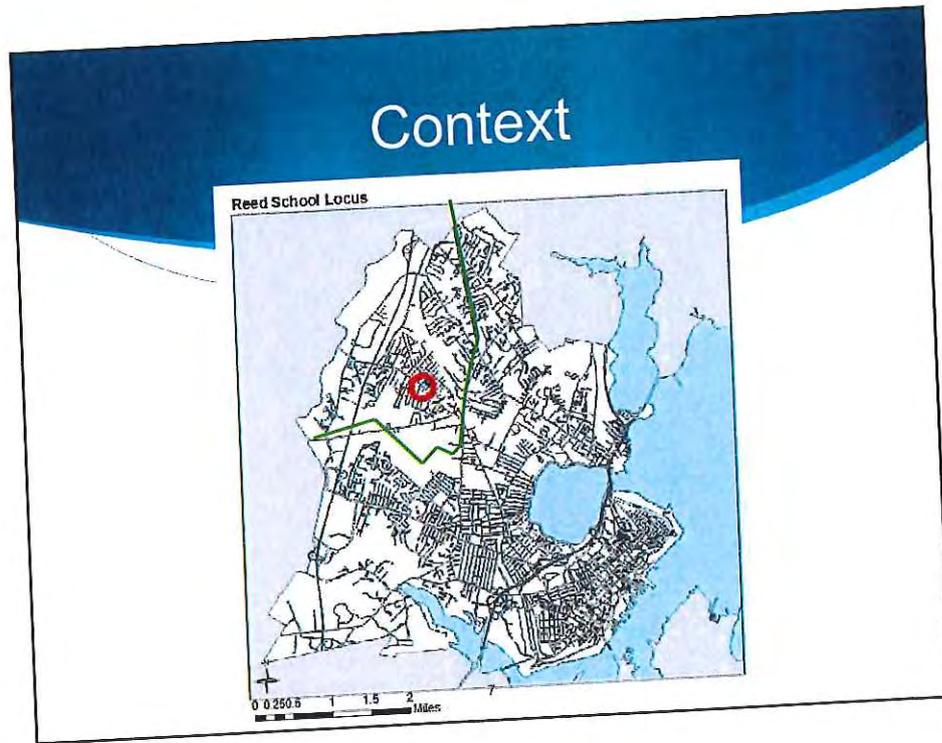
**Nathan Clifford School**

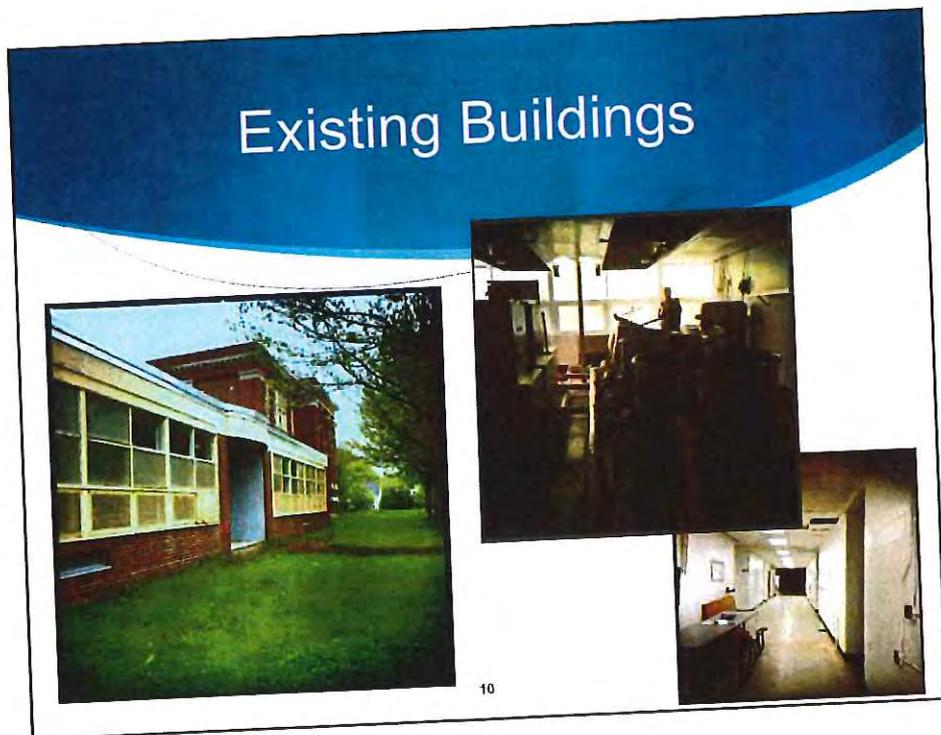
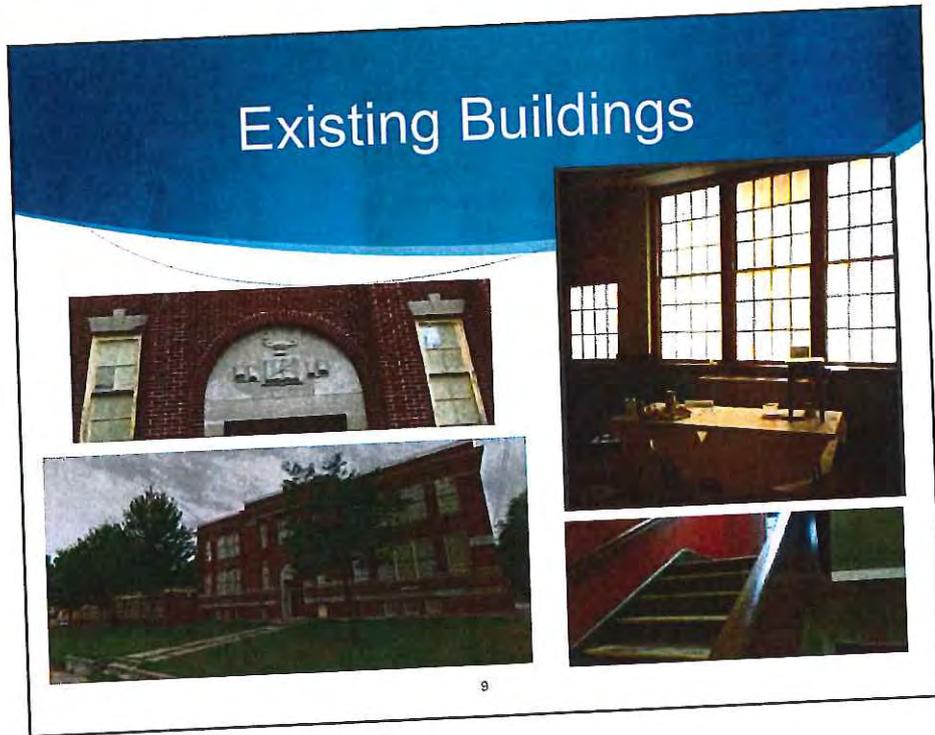
- Being converted to market rate 22 apartments.

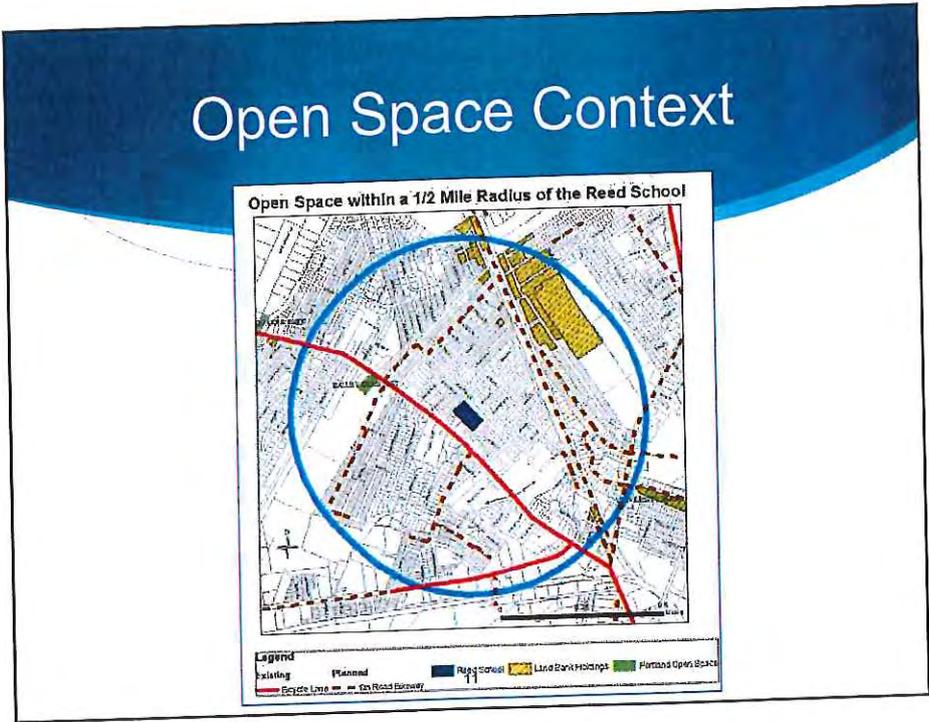
**Adams School**

- 16 workforce condominiums (8 2 bedroom/8 3 bedroom)

The slide features a blue background with white text. On the right side, there are two photographs: the top one shows a large, multi-story brick building with many windows, and the bottom one shows a row of modern, two-story houses with dark roofs and light-colored siding, set in a landscaped area with green grass and trees.







## Zoning Context

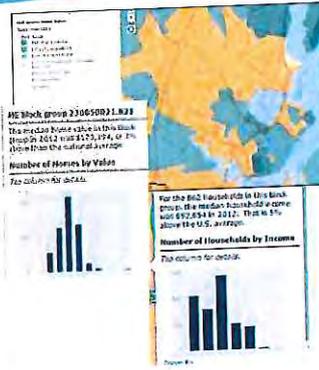
R-3 Permitted and Conditional Uses	
<i>The following uses are permitted in the R-3 residential zone:</i>	
1	Single-family
2	Planned residential unit development (PRUD)
3	Handicapped family unit, for handicapped persons plus staff
2	Parks, and other active and passive noncommercial recreation spaces
3	Accessory uses
4	Home occupations
5	Municipal uses
6	Wind energy systems
<i>The following conditional uses are permitted in the R-3 residential zone:</i>	
<i>Residential:</i>	
1	Sheltered care group homes
2	Accessory Dwelling Units
<i>Institutional:</i>	
1	Elementary, middle, and secondary school
2	a. Long-term and extended care facilities b. Intermediate care facility for thirteen (13) or more persons
3	Places of assembly
4	Hospital

## Zoning Context

R-3 Zone Dimensional Standards	
<b>Minimum Lot Size examples:</b>	
<i>Residential</i>	6,500 sf
<i>PRUD</i>	3 acres
<i>School</i>	2 acres
<i>Hospital</i>	10 acres
<b>Minimum Frontage</b>	50 feet
<b>Front Yard Setback</b>	25 feet or avg. depth of adjacent properties
<b>Rear Yard Setback</b>	25 feet
<b>Side Yard Setback</b>	8-16, variable by height of structure
<b>Rear and Side Yard Setbacks - Accessory Structures</b>	5 feet
<b>Maximum Lot Coverage</b>	35%
<b>Minimum Lot Width</b>	65 feet
<b>Maximum Structure Height</b>	35 feet

# Riverton Demographics

- ◆ Total Residents 5,578 (8.4% of Portland Total)
- ◆ Total Households: 2,165
- ◆ Riverton Population 18 and under: 24.4%  
◆ (17.1% for Portland)
- ◆ Riverton Population 65 and over: 8.5%
- ◆ Median Age: 33
- ◆ Total % Owner-Occupied Units: 57.6 (42.7 Portland)
- ◆ Total % Renter-Occupied Units: 42.4 (57.3 Portland)
- ◆ Housing Units in Multi-Units: 29.4% (54% Portland)
- ◆ Average Household Size: 2.5
- ◆ Median Home Value: \$173,394 (2012, Block Group)
- ◆ Homeowner and Rental Vacancy Rates less than 1% (Block Group)

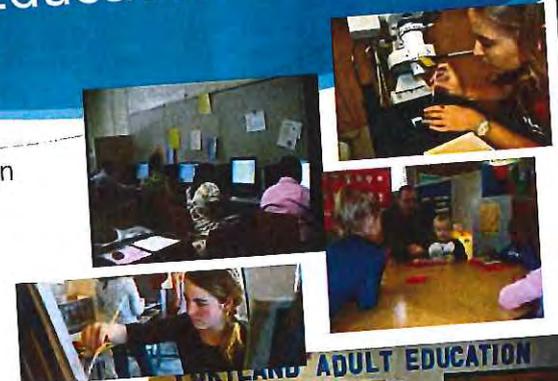


# Potential Re-Uses

- ◆ Educational
- ◆ Residential
- ◆ Wellness
- ◆ Community Space
- ◆ Mixed Use

# Education

- ◆ Continuing Education
- ◆ Arts Education
- ◆ Private School
- ◆ Pre-K
- ◆ Research



17

# Residential

- ◆ Market Rate
  - ◆ Condominiums
  - ◆ Rental Apartments
- ◆ Affordable
- ◆ Workforce
- ◆ Inclusionary
- ◆ Senior housing
- ◆ Live/Work



18

# Wellness

- ◆ Health Care
- ◆ Adult Day Care
- ◆ Childcare
- ◆ Respite Care



19

# Community Space

- ◆ Community Center
- ◆ Artist Studios
- ◆ Coworking/Incubator Space
- ◆ Makerspace



## Mixed Use

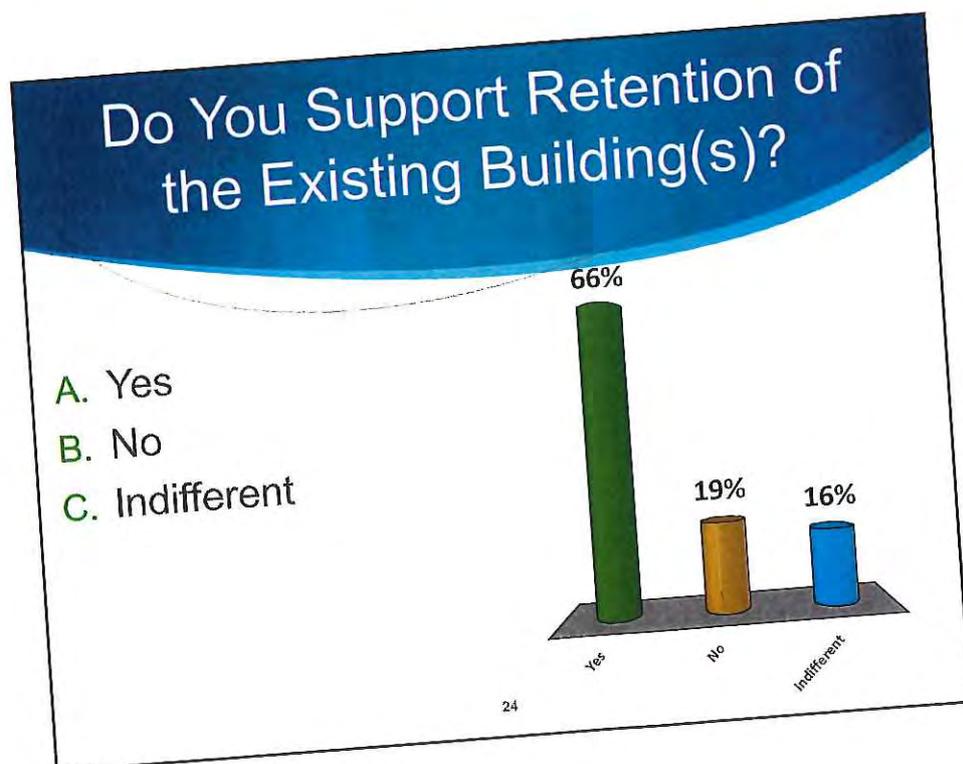
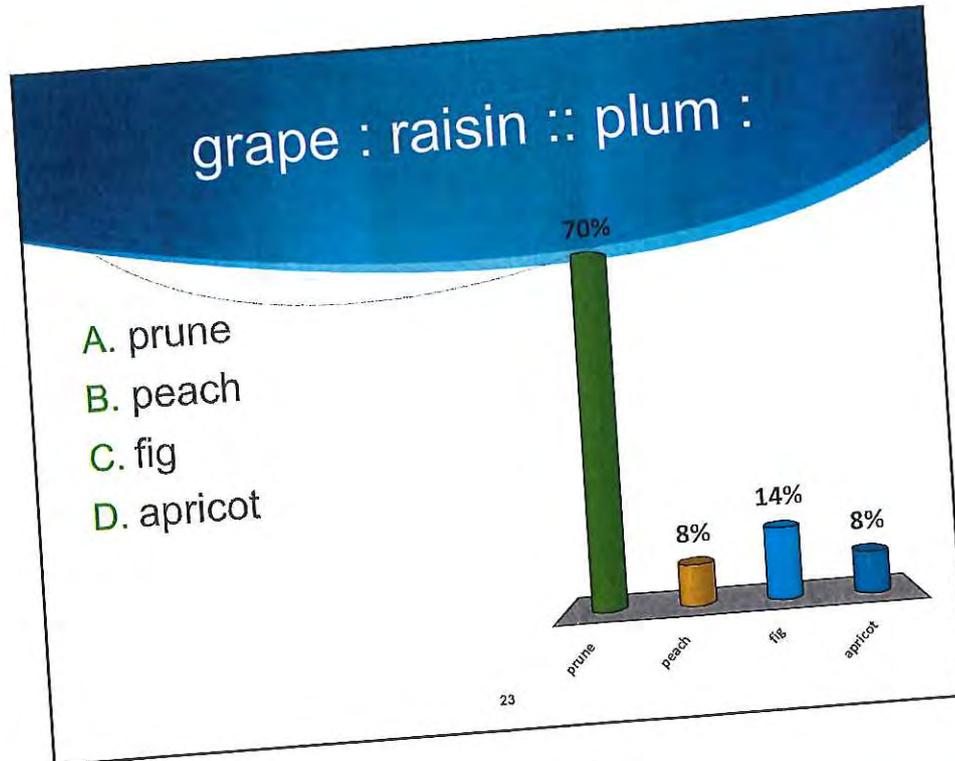
- ◆ Residential/Non-residential mix
- ◆ Artist Studio + Classes + Work for Sale
- ◆ Other combinations possible

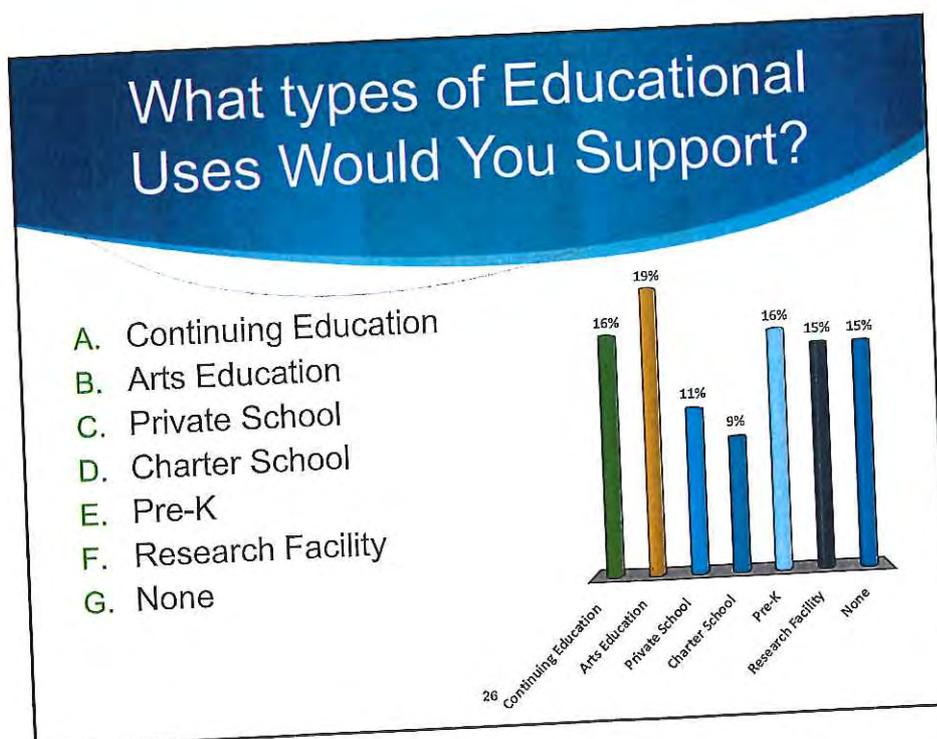
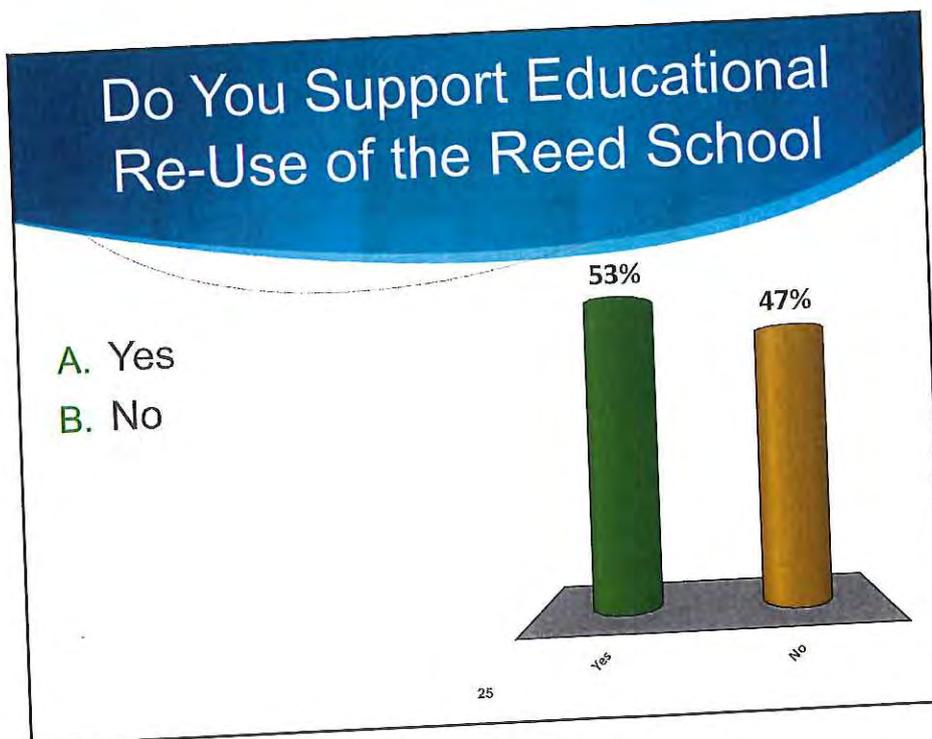


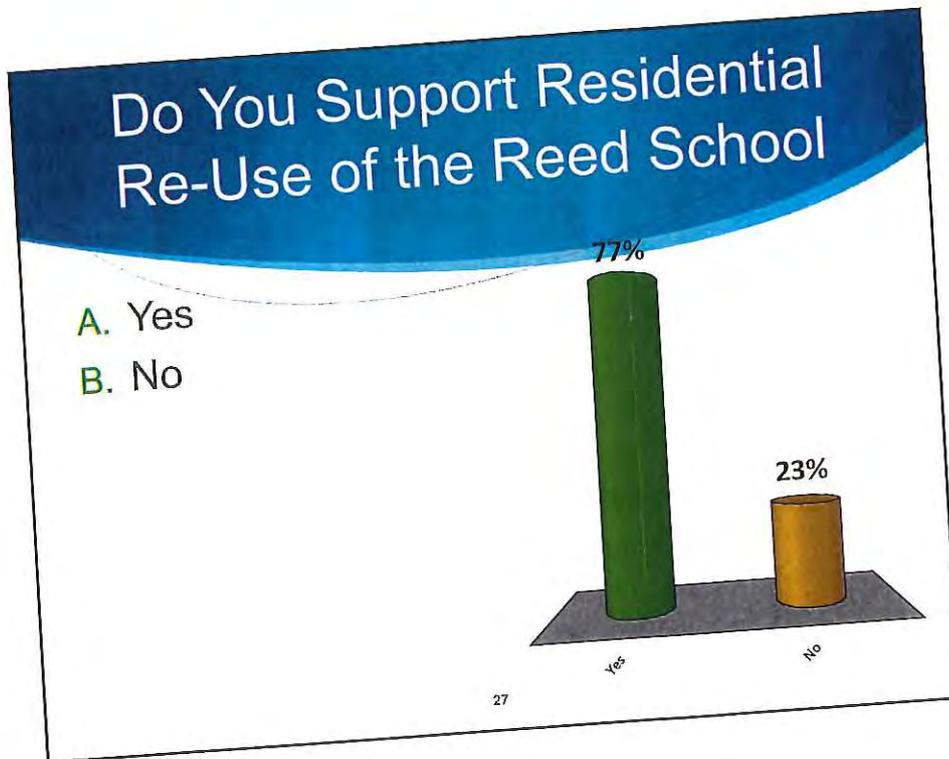
## Open Space

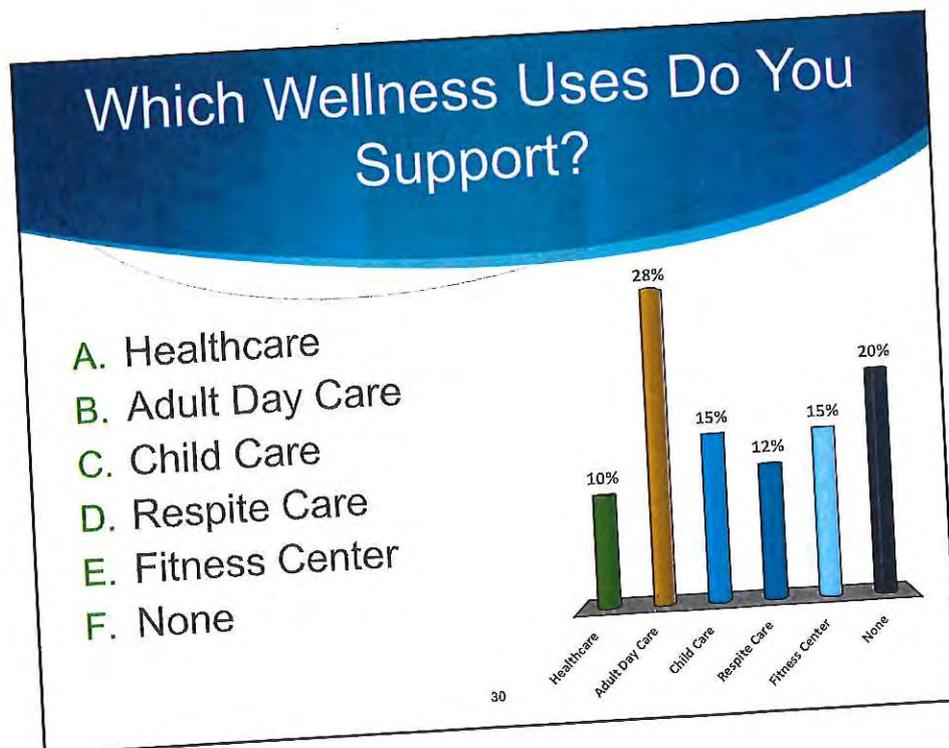
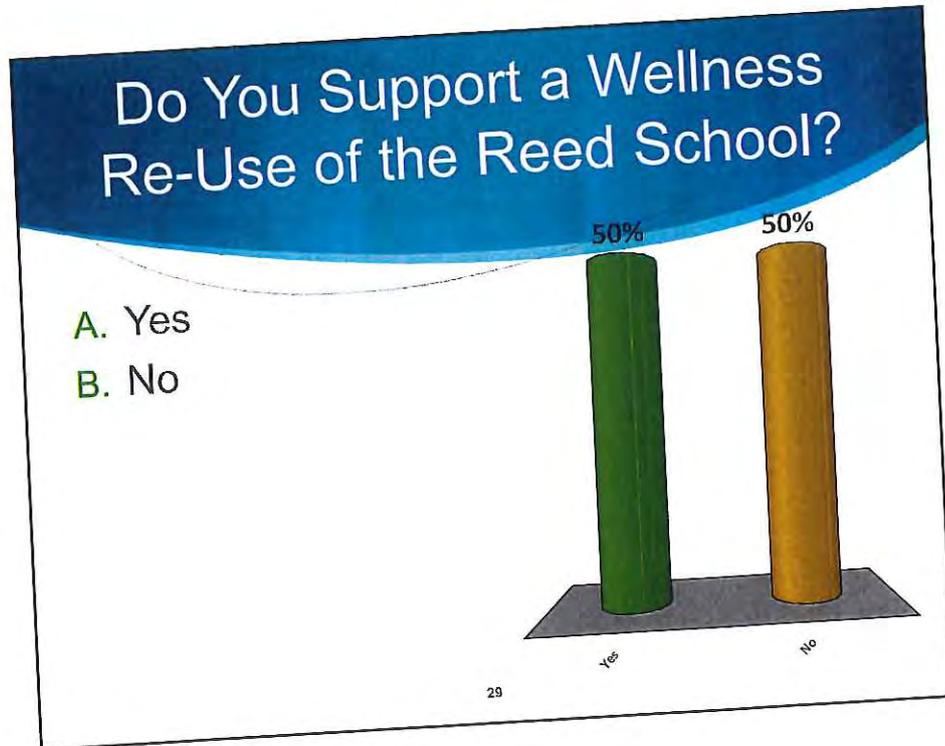
- ◆ Community Garden
- ◆ Athletic Fields
- ◆ Dog Park
- ◆ Passive Recreation
- ◆ Unimproved
- ◆ None

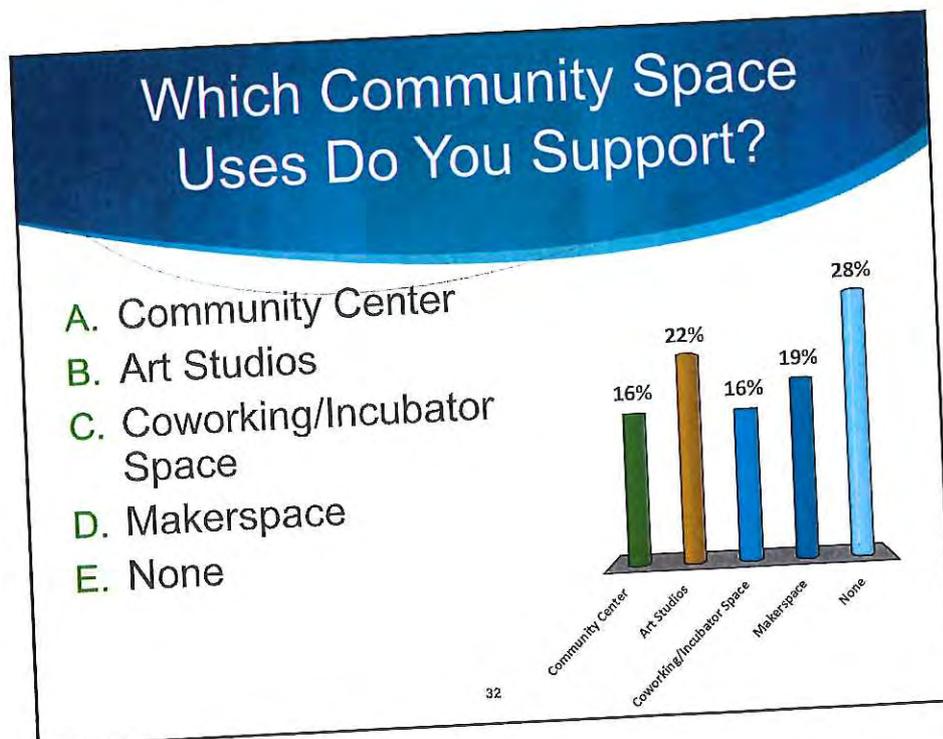
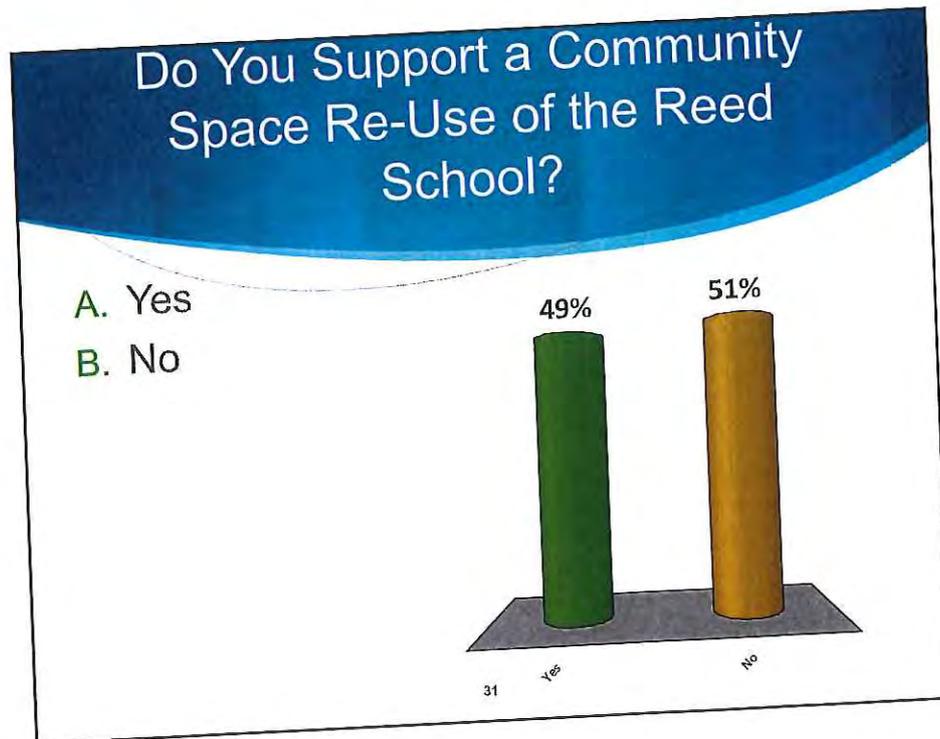






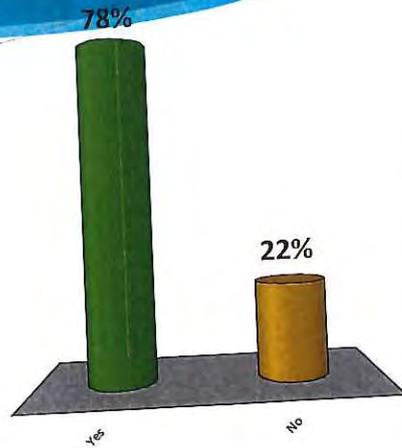






## Do You Support Mixed Uses at the Reed School Site?

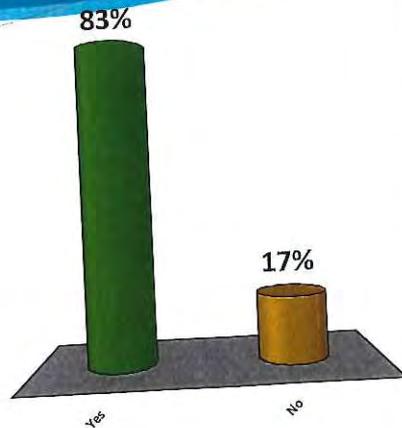
- A. Yes
- B. No



33

## Do You Support Retention of Open Space at the Reed School Site?

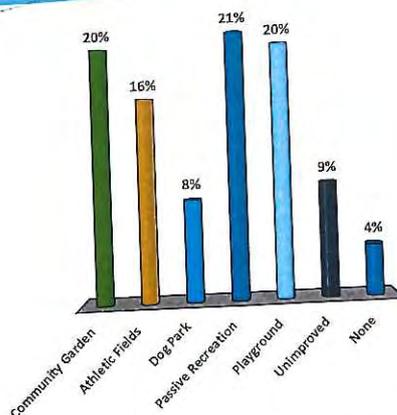
- A. Yes
- B. No



34

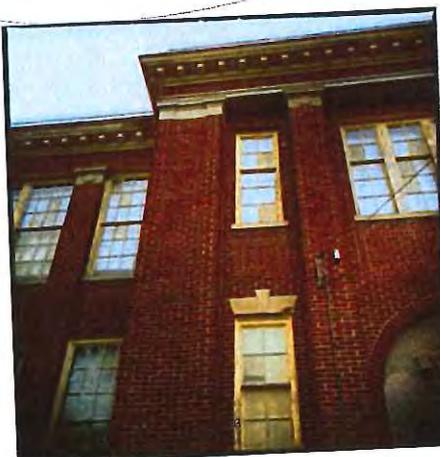
## Which Types of Open Space do you Support?

- A. Community Garden
- B. Athletic Fields
- C. Dog Park
- D. Passive Recreation
- E. Playground
- F. Unimproved
- G. None



35

## Discussion



## Next Steps

- ◆ Task Force meets to assess input to date, follow-up on Historic Preservation, Comprehensive Plan Policies, etc.
- ◆ Drafting Subcommittee meets to produce 1<sup>st</sup> draft of recommendations.
- ◆ Task Force meetings to review draft and final report.

For more information contact: Christine Grimando, Senior Planner.  
[cdg@portlandmaine.gov](mailto:cdg@portlandmaine.gov) or 207-874-8608

<http://www.portlandmaine.gov/1348/Reed-School-Reuse-Project#>

37

	R-3	R-5
<b>Min. Lot Size</b>	Residential: 6,500 SF Sing. Fam to 2-Fam: 10,000 SF Long-term, extended, intermediate care: 2 ac. School: 2 ac. Place of assembly: see code Municipal: 6,500 SF Hospital: 10 ac. PRUD: 3 ac. Other: 6,500 SF	Residential: 6,000 SF Long-term, extended, intermediate care: 2 ac. School: 30,000 SF Place of assembly: see code Municipal: 6,000 SF Hospital: 5ac. College, univ.: 2 ac. Multiplex: 9,000 SF PRUD: 2 ac. Lodging house: 9,000 SF Other: 6,000 SF
<b>Min. Lot Area per D.U.</b>	PRUD: 6,500 SF net land area  Other: 6,500 SF	PRUD: 3,000 SF Special needs independent living units: , 3,600-4,800 SF  Other: 3,000 SF, except as provided for multiplex
<b>Min. Street Frontage</b>	50 ft.	50 ft.
<b>Min. Lot Width</b>	65 ft.	60 ft.; 90 ft. for multiplex
<b>Min. Front Yard</b>	25 ft. (principal or accessory)	20 ft. (principal or accessory)
<b>Min. Rear Yard</b>	Principal or attached accessory > 100 SF: 25 ft. Accessory detached <144 SF: 5 ft.	Principal or attached accessory > 100 SF: 20 ft. Accessory detached <144 SF: 5 ft.
<b>Min. Side Yard</b>	1 story: 8 ft. 1 1/2 stories : 8 ft. 2 stories : 14 ft.  2 1/2 stories: 16 ft. Accessory detached <144 SF: 5 ft. Side yard on side street: 20 ft.	1 story: 8 ft. 1 1/2 stories : 8 ft. 2 stories : 12 ft.  2 1/2 stories: 14 ft. Accessory detached <144 SF: 5 ft. Side yard on side street: 15 ft.
<b>Max. Structure Height</b>	Principal or attached accessory: 35 ft. Accessory detached: 18 ft.	Principal or attached accessory: 35 ft. Accessory detached: 18 ft.
<b>Max. Lot Coverage</b>	35%	40%

		R-3	R-5		
Permitted	Residential	Single-family and two-family dwellings	•	•	
		Handicapped family units	•	•	
		Single-family single- or multiple-component manufactured housing		X	
		Combined living/working spaces	•	•	
		PRUDs		•	
		Multiplex development	•	•	
		Governmental buildings and uses/municipal uses	•	•	
	Other	Accessory uses	•	•	
		Parks	•	•	
		Home occupation		•	
		Special needs independent living units	•	•	
		Wind energy systems	•	•	
	Conditional	Residential	Sheltered care group homes	•	•
			Additional accessory dwelling units		•
Alteration of non-residential structure to 3+ dwelling units				•	
Conversion of multi-family structure to lodging house			•	•	
Institutional		Schools	•	•	
		Long-term and extended care facilities	•	•	
		Intermediate care facility	•	•	
		Places of assembly	•	•	
		Hospitals	•	•	
		Day care facilities		•	
		College, university, trade schools	•	•	
Other		Utility substations	•	•	
		Off-street parking	•	•	
		Temporary wind anemometer towers	•	•	
	Wind energy systems	•	•		

# Portland Public Schools

Learning to Succeed

## Administration

*Emmanuel Caulk, Superintendent*  
*David Galin, Chief Academic Officer*  
*Michael Wilson, Chief Financial Officer*  
*Peter Eglinton, Chief Operations Officer*

196 Allen Avenue, Portland, Maine 04103  
(207) 874-8100

July 8, 2014

Mr. Mark Rees  
City Manager  
City Hall  
389 Congress St  
Portland, ME 04101

Dear Mark:

The Portland Board of Public Education voted unanimously on June 24, 2014, to authorize the Superintendent to take all steps necessary to implement the closing of the former Reed School and the transfer of control of the property to the city, including notifying the City Manager and City Council. The facility is a 33,692 square foot structure located on 2.5 acres accessed from Homestead Avenue, and was most recently used as a Central Kitchen and warehouse. Because the building does not currently operate as a school, state approval of the facility closure and transfer is not required.

Accordingly, Portland Public Schools can transfer control of the property to the City of Portland. Please let me know if additional steps are required to complete the transfer. Note that later this summer we plan to sell a few remaining pieces of kitchen equipment and relocate stored district materials to other suitable facilities. We would appreciate continued access to the building until our moves are complete. Otherwise, the city can take control of the property effective immediately.

Sincerely,



Emmanuel Caulk  
Superintendent  
Portland Public Schools



PAUL R. LEPAGE  
GOVERNOR

MAINE HISTORIC PRESERVATION COMMISSION  
55 CAPITOL STREET  
65 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333

EARLE G. SHETTLEWORTH, JR.  
DIRECTOR

19 March 2015

Deborah Andrews  
Historic Preservation Program Manager  
City of Portland  
389 Congress Street  
Portland, Maine 04101

Dear Ms. Andrews:

Thank you for submitting the National Register Eligibility Assessment form, photographs and other information pertaining to the Thomas B. Reed School in Portland, Maine. These have been carefully examined by our staff.

I am pleased to say that in our judgment, based on the information and photographs submitted to date, this property is eligible for nomination to the National Register of Historic Places. The school is eligible for its architectural significance as a good example of two distinct types of school buildings built before and after World War II. We are particularly impressed that the building retains its original windows and interior finishes. The building is also significant under Criterion A for the manner in which it illustrates the associated neighborhood's post War development.

I am writing and researching National Register nominations as my schedule allows, and it is possible that I will have the time in 2016 to write a the nomination for this property, should the City of Portland decide to pursue listing. However, should you wish to proceed immediately with the development of the nomination for this property please consider hiring an architectural historian to research and prepare the nomination documentation. A list of architectural historian known to work in the state is enclosed

All nominations, before being sent to Washington for final approval, must first be presented to our Commission for approval at one of their quarterly meetings. We will schedule this nomination for presentation once a final draft of the nomination has been received and approved by this office. Once you have identified who will prepare your nomination please have them contact me at (207) 287-2132 or [christi.mitchell@maine.gov](mailto:christi.mitchell@maine.gov) to discuss scheduling and submission requirements.

In the meantime, the property will be included in the Maine Historic Resources Inventory which will provide the same protection as if it were already listed in the National Register. Please do not hesitate to contact me if you have any questions.

Sincerely,

Christi A. Mitchell  
Architectural Historian

Enc.

PHONE: (207) 287-2132

FAX: (207) 287-2335

**From:** Jonah Fertig <jonah.fertig@gmail.com>  
**To:** "cdg@portlandmaine.gov" <cdg@portlandmaine.gov>  
**Date:** 2/2/2015 12:53 PM  
**Subject:** Reed Street School

Hello Christine,  
I recently learned about the re-use process for the Reed Street School. I was unable to make the meeting last week as I just learned about it today. I am the co-chair of the Urban Agriculture Sub-Committee of the Mayor's Initiative for a Healthy and Sustainable Food System and co-chair of the Machigonne Community Land Trust. In the first role I'm working to secure land for urban agriculture and in the second role I'm working to secure land for affordable housing. So I'd love to provide some input into this process and be kept abreast of future meetings and opportunities for input.

Thanks,  
Jonah Fertig

Sent from my iPhone

**From:** Ashley Bahlkow <bahlkow.a@gmail.com>  
**To:** <cdg@portlandmaine.gov>  
**Date:** 2/2/2015 11:40 AM  
**Subject:** Make Reed School Portland's Urban Farm!

Hi Christine,

I'm a Portland resident and I wanted to express my desire to use the Reed School land as an urban farm to grow food for the city and/or a community garden. Burlington, VT's Intervale is a great example of city land use. The Intervale is huge, but an amazing community resource and tourist attraction. Check it out at <http://www.intervale.org/what-we-do/mission-vision/>. I realize Reed St. doesn't have enough land for a farm incubator program and all that the Intervale encompasses, however, I think similar could be achieved on a smaller scale and that expands Portland's food security.

Thank you for taking the time to read my response.  
have a good day  
Ashley Bahlkow  
79 Congress St. Apt. L Portland

**From:** <jogero@myfairpoint.net>  
**To:** <cdg@portlandmaine.gov>  
**Date:** 2/2/2015 9:21 AM  
**Subject:** Reed School

Hello Christine,

I live near Homestead Avenue and Libby Street. I drive by the former Reed School everyday and often think how this statuous building could be an asset to the city of Portland. I would like to pass on my thoughts. I feel the building would be bendficial as a secondary site for city offices, such as car registrations, voter registrations, one one floor. On a second floor, my thought would be to relocate the Maine Historical Society.

Best of

Luck on this project,

Geri Rose

**From:** Judith Southworth <jsouthworth@CCMAINE.ORG>  
**To:** "cdg@portlandmaine.gov" <cdg@portlandmaine.gov>  
**Date:** 1/31/2015 12:30 PM  
**Subject:** Please consider Portland's Urban Farm

Hello,  
Please consider using the Reed School land to establish Portland's Urban Farm for growing food for residents.  
Sincerely,  
Judith Southworth

**From:** Hazel Onsrud <hazel.onsrud@gmail.com>  
**To:** <cdg@portlandmaine.gov>  
**Date:** 1/30/2015 3:41 PM  
**Subject:** Reed School property

Dear Ms. Grimando,

I think it would be great if the Reed School property could connect with the local food movement, specifically the urban agriculture portion of the the Mayor's Initiative in order to facilitate more growing space which is desperately needed in our community.

Thanks!  
Best wishes,  
Hazel

--  
Hazel Onsrud  
hazel.onsrud@gmail.com  
207.299.2657

**From:** Anna Sommo <annasommo@gmail.com>  
**To:** <cdg@portlandmaine.gov>  
**Date:** 1/30/2015 3:19 PM  
**Subject:** Reed School Input

Hello!

I would like to put in my comment to encourage the city to turn the Reed School into an urban farm. Urban agriculture is a great way to accomplish many goals- growing food close to home, providing an outdoor classroom for students of all ages, preserving open space and many more. Agriculture brings together people from many backgrounds, and it is projects such as these that encourage people to move to places like Portland.

Here are some examples of incredible urban farms in New York:  
<http://inhabitat.com/nyc/top-5-urban-farms-in-new-york-city/>.

Many thanks for your time and consideration.

Sincerely,  
Anna Sommo

**MEETING NOTICE:** The City Council's Housing and Community Development Committee will meet on Wednesday, July 8<sup>th</sup> at 5:30 pm in City Hall, Room 209 to review the *Final Recommendations and Report of the Reed School Re-Use Advisory Task Force* and a draft Request for Qualifications regarding the possible sale and development of city-owned property at 19 Libby Street (also fronting on Homestead Avenue). For more information contact Christine Grimando, Senior Planner, 874-8608 or [cdg@portlandmaine.gov](mailto:cdg@portlandmaine.gov). Information regarding this item will be available after 4:00 pm on July 2<sup>nd</sup> on the city website, <http://www.portlandmaine.gov/582/Housing-Community-Development-Committee>, under Most Recent Agenda.

**CITY of PORTLAND, MAINE  
Request for Qualifications**

**Expression of Interest  
Re-use and Re-Development of the Reed School property  
19 Libby Street, Portland Maine**

**Portland Planning and Urban Development Department**

Sealed responses to provide expression of interest and evidence of qualification to re-develop the Reed School property, situated between Homestead Avenue and Libby Street, will be received by the Purchasing Office, City Hall, Room 103, 389 Congress Street, Portland, Maine 04101 until **3:00 p.m. (DATE), 2015\***, at which time they will be publicly opened.

Proposals shall be submitted in envelopes plainly marked on the outside with the RFQ's title and number. No late, faxed, or electronic proposals shall be accepted.

Proposals from proposers not registered with the Purchasing Office may be rejected; receipt of this document directly from the City of Portland indicates registration. Should an interested party receive this Request from a source other than the City, please contact 207-874-8654 to ensure that your firm is listed as a vendor for this RFP.

**Respondents are required to have a representative at a pre-submission walk through of the property scheduled for (DATE/TIME).**

**QUESTIONS**

All questions shall be made *in writing* only, can be hand delivered, mailed to the Purchasing Office, faxed to 207-874-8652 or e-mailed to [mff@portlandmaine.gov](mailto:mff@portlandmaine.gov), being received no later than **July X, 2015**. A written response, if provided, will be in the form of an Addendum. Corrections or changes to this document will be made only by written addendum; any oral explanation or interpretation shall not be binding.

**GENERAL INFORMATION**

The disposal of this real estate shall be on the basis of a negotiated proposal, with the City of Portland reserving the right to refuse any and all proposals. All proposers are advised that the property will be sold "as-is" and "where is," in its existing condition, with no warranties to be expressed or implied. The City disclaims any and all responsibility for injury to proposers, their agents or others while examining the property or at any other time. The property will be conveyed by quitclaim deed.

Any and all improvements made to said property must be done in accordance with existing City Codes and Ordinances.

## BACKGROUND

The City requests qualifications from developers and institutions with interest in re-use and re-development of the Reed School property. The City seeks a new owner for the property and re-development of the former central kitchen and school building.

The building is currently under consideration for listing as a locally designated historic landmark, and all potential developers should anticipate that alterations and repairs to the school and grounds will be reviewable under the City's Historic Preservation Ordinance.

Interested parties are asked to submit a concept development and re-use narrative, general project budget with projected funding sources, development timeline, and development team qualifications and financial capabilities. This RFQ does not require detailed architectural drawings or development pro formas.

Based on the relative strength of the development teams and the proposal narratives, the City will select top-tier, financially viable development teams to present full proposal packets through an invitation only Request for Proposals (RFP).

This request for qualifications results from the July 8, 2015 acceptance by the City Council's Housing and Community Development Committee of the recommendations of the Reed Re-Use Advisory Task Force. In preparing responses to this request, respondents are directed to the *Final Recommendations and Report of the Reed School Re-Use Advisory Task Force* and background material at:

<http://www.portlandmaine.gov/1348/Reed-School-Reuse-Project>

## **USES CONSIDERED**

### **I. Generally**

Re-use of the Reed School building and property is intended to support and enhance the integrity of the surrounding neighborhood. Proposals for re-use of the property will show consistency with this intent by sensitively preserving the building, maintaining publicly accessible open space, and introducing new uses, occupants, and improvements that do not unreasonably impact the character and vitality of the area.

### **II. Existing Zoning**

Due to the distinct nature of this property, the City of Portland is pursuing rezoning of the property from R-3 to the R-5 residential zone, as one that better fits the anticipated future redevelopment of this site in regard to permitted uses and dimensional standards. The zoning map change will be accompanied by a text amendment to the R-5 zone to allow for the following residential use: *Combined living/working spaces including, but not limited to, artist residences with studio space.*

Consideration of proposals that require additional zoning changes, or that alternately propose a contract zone for the property, will be reviewed in relation to their consistency with the prioritized uses and criteria below.

Proposals that include residential unit counts that significantly exceed the current maximum R-5 allowances are discouraged.

### **III. Uses Encouraged**

The following uses are specifically encouraged to compatibly add value, vitality and interest to the Reed School property and surrounding neighborhood.

- a. Publicly accessible, contiguous open space that incorporates community gardens, playground, or a compelling combination of active and passive recreation areas.
- b. Residential uses, including multi-family residential and senior housing, particularly those that help preserve the economic and physical character of the neighborhood.
- c. Combined living/working spaces, including but not limited to artist residences with studio space.
- d. Educational uses such as arts education, early childhood education or care, research and continuing education.
- e. Wellness-related uses such as adult day care or childcare.
- f. Community spaces such as art studios or a community center.
- g. Creative mix of uses that protect and enhance the character and vitality of the neighborhood, provided the mix is a low impact, low traffic combination.

**IV. Uses Discouraged**

The following uses are strongly discouraged:

- a. High intensity commercial, industrial, and/or institutional uses or those that include a large amount of traffic, parking, and, external impacts;
- b. Residential unit counts that are drastically higher density than allowed under the R-5 zone are discouraged.

**GENERAL INFORMATION**

**Location:** 19 Libby Street, Portland, Maine 04103

**Current use:** Uninhabited. Intermittent fire life safety trainings take place on sight on a temporary basis.

**Condition of the property at the time of sale:** The existing structure is currently unoccupied.

**Environmental Conditions:** The City of Portland does not have any specifics with regard to environmental conditions and makes no representations or guarantees with respect to the environmental condition of the site.

**Note:** All respondents should investigate legal and zoning requirements for proposed projects prior to submission of proposal. The City's Zoning Administrator can be contacted at (207) 874-8709. The City's Planning Office can be contacted at (207) 874-8719.

**PROCESS OUTLINE**

- I. Submissions will be reviewed for completeness.
- II. City Staff and a *Proposal Review Committee* will review the submissions and select a final list of qualified proposers.
- III. Upon completion of the list, an RFP document outlining specific project details and submission requirements will be sent to the pre-qualified interested parties.

**Respondents are required to have a representative at a pre-submission walk through of the property scheduled for (DATE/TIME).** Development Team representatives will meet in the parking area at the rear/southerly side of the building. The tour, which will be attended by City Planning and Facilities staff, will begin promptly at X:X0 p.m. and take approximately 1 hour.

Please be advised that responding to this inquiry will not ensure that your firm is placed upon the final Proposers List. However failure to respond will eliminate you from the list. The selection of bidders on the final Proposers List will be based upon a detailed evaluation of these responses, and will be chosen in the best interests of the City of Portland, Maine according to the following criteria:

**CRITERIA**

The city will apply the following criteria to rate competing Developer Team qualifications for selection to submit full proposals.

- I. Use** **50% Weight**  
 The uses described in the conceptual development and re-use narrative are consistent with the recommendations of the Reed School Re-Use Advisory Task Force, as summarized in the *Uses Considered* section above; and,

- II. Financial Strength and Experience of the Development Team** **50% Weight**  
 The Development Team has the experience, financial capacity and a proven track record to confidently achieve the goals and program(s) described in the *conceptual development and re-use narrative*.

**SUBMISSION INFORMATION**

- I.** Development Narrative – Provide a concept development and re-use narrative, general project budget with projected funding sources, and development timeline. The proposed uses, unit counts, and nature and extent of occupation of the Reed School building and site must be included. Sketch level drawings may be useful to augment this information but are not required. This RFQ does not require detailed architectural drawings or development pro formas.
- II.** A complete description of the structure of your team, including administration and project management team as well as major shareholders.
- a.** Developer – Name, address, telephone, fax number of the proposed  
**b.** Owner/developer and the name(s) of an alternative contact person(s)
- III.** Developer Capacity – Identify the qualifications and experience of the development team for the project including a list of previously completed projects similar to the proposed project. This may include key staff of the developer, architect, general contractor and future property management. The submission should include indication of experience with similar development projects, and experience with Historic Preservation projects, where applicable.
- IV.** A list of current projects, with a brief description of type, and expected completion dates.
- V.** A list of projects of comparable size and complexity that you have developed in the past five years. Provide photos, demonstrative drawings and project particulars.
- VI.** A list of not less than four recent (within the past five years) client references for similar size or complexity of project, complete with names and contact information (phone and email ideally), and date of project completion.
- VII.** Evidence of financing capability sufficient to undertake a project of this scope, including a letter of reference from a Financial Institution.

VIII. Eight (8) copies, with the original so marked, of each submittal along with a single digital copy.

### **Reservation of Rights**

The City reserves the right to waive any informalities in proposals, to accept any proposal or portions thereof (Proposers are advised to note this and quote accordingly) and to reject any or all responses should it be deemed for the best interest of the City to do so. The City reserves the right to substantiate the Proposer's qualifications, capability to perform, availability, past performance record and to verify that the proposer is current in its obligations to the City, as follows: The successful bidder shall agree to defend, indemnify and save the City harmless from all losses, costs or damages caused by its acts or those of its agents, and, before signing the contract, will produce evidence satisfactory to the City's Corporation Counsel of coverage for General Public and Automobile Liability insurance in amounts not less than \$400,000 per person, for bodily injury, death and property damage, protecting the contractor and the City, and naming the City as an additional insured from such claims, and shall also procure Workers' Compensation insurance.

All materials and equipment used as well as all methods of construction and/or demolition shall comply at a minimum with any and all Federal, OSHA, State and/or local codes, including applicable municipal ordinances and regulations.

**Equal Employment Opportunities.** Vendor shall comply fully with the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998, as amended (WIA, 29 CFR part 37); the Nontraditional Employment for Women Act of 1991; title VI of the Civil Rights Act of 1964, as amended; section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR part 37.

Pursuant to City procurement policy and ordinance, the City is unable to contract with businesses or individuals who are delinquent in their financial obligations to the City. These obligations may include but are not limited to real estate and personal property taxes and sewer user fees. Proposers who are delinquent in their financial obligations to the City must do one of the following: bring the obligation current, negotiate a payment plan with the City's Treasury office, or agree to an offset which shall be established by the contract which shall be issued to the successful bidder.

It is the custom of the City of Portland, Maine to pay its bills 30 days following equipment delivery and acceptance, and following the receipt of correct invoices for all items covered by the purchase order. In submitting bids under these specifications, bidders should take into account all discounts; both trade and time allowed in accordance with this payment policy and quote a net price. The City is exempt from the State's sales and use tax as well as all Federal excise taxes.

June 25, 2015

Matthew F. Fitzgerald  
Purchasing Manager

Attachments: Go to: <http://www.portlandmaine.gov/1348/Reed-School-Reuse-Project>

DRAFT

**PROPOSAL**

**NOTE: THESE PAGES ARE TO BE COMPLETED AND RETURNED**

The UNDERSIGNED hereby declares that he/she or they are the only person(s), firm or corporation interested in this proposal as principal, which it is made without any connection with any other person(s), firm or corporation submitting a proposal for the same.

The UNDERSIGNED hereby declares that they have read and understand all conditions as outlined in the Request for Proposals, and that the proposal is made in accordance with same.

The UNDERSIGNED hereby declares that any person(s) employed by the City of Portland, Maine, who has direct or indirect personal or financial interest in this proposal or in any portion of the profits which may be derived therefrom has been identified and the interest disclosed by separate attachment. (Please include in your disclosure any interest which you know of. An example of a direct interest would be a City employee who would be paid to perform services under this proposal. An example of an indirect interest would be a City employee who is related to any officers, employees, principal or shareholders of your firm or to you. If in doubt as to status or interest, please disclose to the extent known).

The proposer acknowledges the receipt of Addenda numbered \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_  
(Individual, Partnership, Corporation, Joint Venture)

AUTHORIZED SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
(Officer, Authorized Individual or Owner)

PRINT NAME & TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

FEDERAL TAX I.D. NUMBER: \_\_\_\_\_

STATE OF INCORPORATION \_\_\_\_\_

(If incorporated in another State, businesses must be authorized to do business in the State of Maine.)

Portland, Maine



Yes. Life's good here.

Tuck O'Brien  
City Planning Director, Planning Division

January 22, 2018

Michael Lyne  
Developer's Collaborative  
100 Commercial Street, Suite 414  
Portland, ME 04101

Tom Greer, P.E.  
Pinkham and Greer, Civil Engineers  
28 Vannah Avenue  
Portland ME, 04103

<b>Project Name:</b>	Reed School Redevelopment	<b>Project ID:</b>	2017-234
<b>Address:</b>	19 Libby Street	<b>CBL:</b>	338-K-004
<b>Applicant:</b>	Michael Lyne		
<b>Planner:</b>	Matthew Grooms		

Dear Mr. Lyne and Mr. Greer:

On January 22, 2018, the Planning Authority approved a Level I Site Alteration application for redevelopment of the Reed School site, including expansion of the existing parking area, installation of a playground, installation of a new stormwater system, and site landscaping. The decision is based upon the application, documents and plans as submitted. The proposal was reviewed for conformance with the standards of Portland's Site Plan Ordinance.

#### Waivers

The Planning Authority waives the Site Plan Standard, Section 14-526(a)(2)(c)(i), which requires that all proposed developments provide a sidewalk along all frontages, to permit no public sidewalk along the property's Libby Street frontage.

#### Stormwater Management Permit

Based upon the City of Portland's Delegated Review Authority, the Planning Authority approves the Stormwater Management Permit application, as submitted, subject to the following condition(s):

1. Storm Water Management Condition of Approval  
The developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines.

The owner/operator of the approved stormwater management system, and all assigns. shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements.

A maintenance agreement for the stormwater drainage system, as attached, or in substantially the same form, shall be submitted for review by Corporation Counsel. Once approved, the document shall be signed and recorded at the Cumberland County Registry of Deeds prior to the issuance of a building permit. Please submit final copies to both the Department of Planning and Urban Development and the Department of Public Works.

### **Site Plan Review**

The Planning Authority finds that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following condition(s) of approval:

1. Applicant shall review entire site for ADA compliance and repair broken asphalt as needed to entire compliance. It is understood that the improvements along Homestead Avenue will be completed during the next phase of this project.
2. The ADA compliant entrance to this building will be the entrance by the parking lot, which serves as the main entrance generally. It is understood that subsequently mentioned conditions are to be completed during the next phase of this project. ADA compliant access to that entrance shall be provided by:
  - a. Repairing the sidewalk on Homestead in front of the building as needed; and
  - b. Providing a dedicated walkway from Homestead to the parking lot by either limiting vehicle access on the driveway to Homestead to emergency access only, or by providing a parallel walkway.
3. The applicant shall work with staff and METRO to resolve the best locations of bus stops along Forest Avenue to serve the site.
4. The applicant shall repair the fence along the property boundary as needed.
5. The City will look at the potential to complete the missing piece of sidewalk along Homestead Avenue just west of the site and asks for the applicant's support as necessary.

The approval is based on the submitted plans and the findings related to site plan review standards as contained in the Planning Report for application 2017-234 which is attached.

### **Standard Conditions of Approval**

Please Note: The following standard conditions of approval and requirements apply to all approved site plans:

1. Develop Site According to Plan The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning

Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.

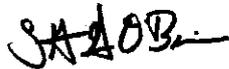
2. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Permitting and Inspections Department.
3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning and Urban Development Department and Public Works Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Works representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. **Construction Management Plans** The applicant, contractor and subcontractors are required to conform to the approved Construction Management Plan, and all conditions contained within the project's approval, for the entire duration of the project. Any amendments to the approved Construction Management Plan shall be reviewed and approved by the Department of Public Works prior to the execution. The Planning Authority and the Department of Public Works have the right to seek revisions to an approved Construction Management Plan. The applicant shall coordinate the project's construction schedule with the timing of nearby construction activities to avoid cumulative impacts on a neighborhood and prevent unsafe vehicle and pedestrian movements. Accordingly, nearby construction activities could involve a delay in the commencement of construction.

8. Department of Public Works Permits If work or obstructions will occur within the public right-of-way, such as utilities, curb, sidewalk, driveway construction, site deliveries and equipment siting, a Street Opening and/or Occupancy Permit (s) is required for your site. Please contact the Department of Public Works Permit Clerk at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
9. As-Built Final Plans Final sets of as-built plans shall be submitted digitally to the Planning and Urban Development Department, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning and Urban Development Department at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Matthew Grooms at (207) 874-8725

Sincerely,



Stuart G. O'Brien  
City Planning Director

Attachments:

1. Development Review Comments
2. Portland City Code: Chapter 32
3. Sample Stormwater Maintenance Agreement
4. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development  
Stuart G. O'Brien, City Planning Director, Planning and Urban Development  
Barbara Barhydt, Development Review Services Manager, Planning and Urban Development  
Matthew Grooms, Planner, Planning and Urban Development  
Philip DiPierro, DRC, Planning and Urban Development  
Mike Russell, Director of Permitting and Inspections  
Ann Machado, Zoning Administrator, Permitting and Inspections  
Jonathan Rioux, Deputy Director, Permitting and Inspections  
Jeanie Bourke, Plan Reviewer/CEO, Permitting and Inspections  
Chris Branch, Director of Public Works  
Keith Gray, Senior Engineer, Public Works  
Doug Roncarati, Stormwater Coordinator, Public Works  
Jane Ward, Engineering, Public Works

Rhonda Zazzara, Construction Engineering Coordinator, Public Works  
Jeff Tarling, City Arborist, Public Works  
Jeremiah Bartlett, Transportation Systems Engineer, Public Works  
William Scott, Chief Surveyor, Public Works  
Mike Thompson, Fire  
Danielle West-Chuhta, Corporation Counsel  
Jennifer Thompson, Corporation Counsel  
Victoria Voient, Housing Program Manager, Housing and Community Development  
Thomas Errico, P.E., TY Lin Associates  
Lauren Swett, P.E., Woodard and Curran  
Christopher Huff, Assessor



## Zoning Map, Text Amendment, Contract or Conditional Rezoning Application Portland, Maine

Planning and Urban Development Department  
Planning Division

Portland's Planning and Urban Development Department coordinates the review of requests for zoning map amendments, zoning text amendments and contract or conditional re-zoning. The Division also coordinates site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Zoning Map, Text Amendment or Contract/Conditional Rezonings.

Portland's development review process and requirements are outlined in the [Land Use Code \(Chapter 14\)](#), [Design Manual](#) and [Technical Manual](#).

**Planning Division**  
Fourth Floor, City Hall  
389 Congress Street  
(207) 874-8719  
[planning@portlandmaine.gov](mailto:planning@portlandmaine.gov)

**Office Hours**  
Monday thru Friday  
8:00 a.m. – 4:30 p.m.

**I. Project Information (Please enter n/a on those fields that are not applicable)**

Project Name:	Reed School
Proposed Development Address:	19 Libby Street
Project Description:	Adaptive reuse of portion of historic elementary school as rental apartments
Chart/Block/Lot:	338 K004001
Right, Title or Interest <i>(Please identify the status of the applicant's right, title, or interest in the subject property – for example a deed, option or contract to purchase or lease the subject property)</i>	Signed Purchase and Sale Agreement
Existing Use <i>(Describe the existing use of the subject property)</i>	Vacant building
Current Zoning Designation:	R-3
Proposed Use of the Property <i>(Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property)</i>	Adaptive reuse of the original 1910 building (not the 1950s addition) into eight rental residential units. The rehabilitation project will restore the exterior historic features. Historic wood windows will be replaced in kind and historic doors will be restored.
Vicinity Map <i>(Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use)</i>	
Site Plan <i>(On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan – to scale – by the applicant. (Scale to suit, range from 1' = 10' to 1' = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood)</i>	

**II. Contact Information (Please enter n/a on those fields that are not applicable)**

APPLICANT	
Name:	Kevin Bunker / Laura Reading
Business Name:	Developers Collaborative Predevelopment LLC
Address:	100 Commercial St, Ste 414
City/State:	Portland, ME
Zip Code:	04101
Work #:	(207) 766-6696
Home #:	
Cell #:	
Fax #:	
E-mail:	reading.lauraj@gmail.com

**OWNER**

Name:	City of Portland
Address:	389 Congress St
City/State:	Portland, ME
Zip Code:	04101
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

**AGENT/REPRESENTATIVE**

Name:	n/a
Address:	
City/State:	
Zip Code:	
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

**BILLING (to whom invoices will be forwarded to)**

Name:	Developers Collaborative Predevelopment LLC
Address:	100 Commercial St, Ste 414
City/State:	Portland, ME
Zip Code:	04101
Work #:	(207) 766-6696
Home #:	
Cell #:	
Fax #:	
E-mail:	reading.lauraj@gmail.com

**ENGINEER**

Name:	Pinkham and Greer
Address:	28 Vannah Ave
City/State:	Portland, ME
Zip Code:	04103
Work #:	(207) 781-5242
Home #:	
Cell #:	
Fax #:	
E-mail:	

**SURVEYOR**

Name:	n/a
Address:	
City/State:	
Zip Code:	
Work #:	
Home #:	
Cell #:	
Fax #:	
E-mail:	

**ARCHITECT**

Name:	Archetype Architects
Address:	48 Union Wharf
City/State:	Portland, ME
Zip Code:	04101
Work #:	(207) 772-6022
Home #:	
Cell #:	
Fax #:	
E-mail:	

**ATTORNEY**

Name:	Cito Selinger, Curtis Thaxter
Address:	1 Canal Plaza, #1000
City/State:	Portland, ME
Zip Code:	04101
Work #:	(207) 774-9000
Home #:	
Cell #:	
Fax #:	
E-mail:	cselinger@curtisthaxter.com

**DESIGNATED PERSON(S) FOR UPLOADING INTO e-PLAN**

Name:	Laura Reading
E-mail:	reading.lauraj@gmail.com
Name:	
E-mail:	
Name:	
E-mail:	

**III. APPLICATION FEES (check applicable review)**

<input type="checkbox"/>	<b>Zoning Map Amendment</b> from ( ) zone to ( ) zone	\$3,000.00
<input checked="" type="checkbox"/>	<b>Zoning Text Amendment</b> to Section 14- ( 88 ) (For a zoning text amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (example).	\$3,000.00
<input type="checkbox"/>	<b>Combination Zoning Text Amendment and Zoning Map Amendment</b>	\$4,000.00
<input type="checkbox"/>	<b>Conditional or Contract Zone</b> <i>(A conditional or contract rezoning may be requested by an applicant in cases where limitations, conditions, or special assurance related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Section 14-60-62.)</i>	\$5,000.00

**IV. FEES ASSESSED AND INVOICED SEPARATELY**

- Notices to abutters (receipt of application, workshop and public hearing meetings) (\$.75 each)
- Legal Ad in the Newspaper (% of total ad)
- Planning Review (\$52.00 hour)
- Legal Review (\$75.00 hour)
- Third Party Review (all outside reviews or analysis, eg. Traffic/Peer Engineer, are the responsibility of the applicant and will be assessed and billed separately)

## VI. APPLICANT SIGNATURE

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

**This application is for a Map Amendment, Text Amendment, Conditional or Contract Rezoning review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.**

Signature of Applicant:	Laura Reading
Date:	10/17/2017

DIVISION 4. R-3 RESIDENTIAL ZONE\*

-----  
 \*Editor's note--Ord. No. 534-84, adopted May 7, 1984, repealed Div. 4, §§ 14-87--14-90, and enacted a new Div. 4, §§ 14-86--14-91. Formerly, Div. 4 was derived from Code 1968, § 602.4.A--D, and the following ordinances: Ord. No. 49-74, 372-75, 406-75, 34-76, 145-79, 145-81, 303-81, 90-83, and 499-74.  
 -----

**Sec. 14-86. Purpose.**

The purpose of the R-3 residential zone is:

To provide for medium-density residential development characterized by single-family homes on individual lots and also to provide for planned residential unit developments on substantially sized parcels. Such development shall respond to the physical qualities of a site and complement the scale, character and style of the surrounding neighborhood.

(Ord. No. 534-84, 5-7-84; Ord. No. 81-88, § 1, 7-19-88)

-----  
 \*Editor's note--Ord. No. 81-88, § 1, adopted July 19, 1988, amended § 14-86 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 81-88.  
 -----

**Sec. 14-87. Permitted uses.**

The following uses are permitted in the R-3 residential zone:

(a) Residential:

1. Single-family detached dwellings.
2. Planned residential unit development (PRUD) consisting of horizontally attached dwelling units or a series of such dwelling units. No dimensional requirements contained in section 14-90 shall apply with respect to such development, except for those requirements specifically denoted for PRUD. There shall be no open outside stairways or fire escapes above the ground floor. All land shall be owned and used in common and shall be governed and maintained as set forth in section 14-498(i)(3) of article IV (subdivisions) of this chapter. Such development shall be subject to

review and approval by the Planning Board with respect to the requirements of article V (site plan) and article IV (subdivisions) of this chapter, whether or not such development is a subdivision within the meaning of article IV of this chapter, as now enacted or as hereafter amended.

3. Handicapped family unit, as defined in section 14-47 (definitions) of this article, for handicapped persons plus staff.
4. Single-family, multiple-component manufactured housing, as defined in section 14-47 (definitions) of this article, except in a National Register Historic District.
5. Single-family, single-component manufactured housing, as defined in section 14-47 (definitions) of this article, on individual lots under separate and distinct ownership, except in a National Register Historic District and until May 1, 1985, on the islands, provided that each unit meets the performance standards listed below.
  - a. More than half of the roofed area of each unit shall be a double pitched Class C rated shingled roof with a minimum pitch of 3/12.
  - b. Each unit shall be installed on a full foundation or a concrete frost wall in accordance with all applicable codes and regulations. Any hitch or tow bar shall be removed from the unit after it is placed on its foundation or frost wall. In the case of a frost wall, vermin proof skirting shall be installed on all sides of the unit. The skirting may consist of either (a) concrete or masonry block or (b) manufactured skirting. If concrete or masonry block skirting is installed, either the exterior siding of the unit shall extend within one (1) foot of grade or decorative masonry siding shall be applied. If manufactured skirting material is installed, the color shall be identical to or compatible with the exterior siding of the unit.
  - c. Each unit shall have exterior siding that is

residential in appearance, including but not limited to natural materials such as wood clapboards or shakes, or exterior materials which simulate wood. Clapboards or simulated clapboard shall have less than eight (8) inches of exposure and sheet metal type siding shall not be permitted.

- d. Each unit shall have the long side of the unit parallel to the street line where the required street frontage is met.
  - e. Each unit shall be provided with at least two (2) trees meeting the city's arboricultural specifications and which are clearly visible from the street line and are located so as to visually widen the narrow dimension or proportion of the unit.
  - f. Each unit shall have all fuel oil supply systems constructed and installed within the foundation wall or underground in accordance with all applicable codes and regulations.
  - g. No unit shall be horizontally or vertically attached to any other unit or other structure, provided however, that this provision shall not be deemed to prohibit building additions, such as porches, garages, room additions or solar greenhouses.
- (b) Other:
- 1. Reserved;
  - 2. Parks, and other active and passive noncommercial recreation spaces;
  - 3. Accessory uses customarily incidental and subordinate to the location, function, and operation of principal uses, subject to the provisions of section 14-404 (accessory uses) of this article;
  - 4. Home occupation, subject to the provisions of section 14-410 (home occupation) of this article;

5. Municipal uses, excluding those specifically set forth in section 14-88 of this division.

6. Wind energy systems, as defined and allowed in Article X, Alternative Energy.  
(Ord. No. 534-84, 5-7-84; Ord. No. 262-84, § 1, 12-17-84; Ord. No. 36-85, § 1, 7-15-85; Ord. No. 81-88, §§ 2, 3, 7-19-88; Ord. No. 86A-89, § 3, 8-21-89; Ord. No. 33-91, § 4, 1-23-91; Ord. No. 165-97, § 1, 12-1-97; Ord. No. 33-11/12, 1-18-12)

-----  
\*Editor's note--Ord. No. 81-88, §§ 2 and 3, adopted July 19, 1988, amended subsections 14-87(a)2 and (b)5 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 81-88.  
-----

#### **Sec. 14-88. Conditional uses.**

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) and any special provisions, standards or requirements specified below:

(a) Residential:

1. Sheltered care group homes, as defined in section 14-47 of this article, for up to twelve (12) individuals, plus staff, and serving a primary population which is not handicapped persons, parolees, persons involved in correctional prerelease programs, or current illegal drug users, provided that:

- a. A sheltered care group home shall not be located within five hundred (500) feet of another, as measured along street lines to the respective property lines;
- b. There shall be no open outside stairways or fire escapes above the ground floor;
- c. The facility shall make provision for adequate on-site staffing in accordance with applicable state licensing requirements. If a facility is not licensed by the state, there shall be a minimum of one (1) staff

person for every ten (10) residents or fraction thereof.

The board of appeals may impose conditions upon a conditional use permit concerning the creation or operation of a sheltered care group home including but not limited to the following: site and building maintenance; lighting, fencing, and other appropriate security measures; screening and buffering of parking areas; compatibility of any additions or alterations with the existing residential structure; compatibility of new structures with the architectural character of the surrounding area; and limitation on the duration of a sheltered care group home permit.

2. Alteration or construction of a detached single-family dwelling to accommodate one (1) additional dwelling unit for the benefit of homeowners or tenants, provided that:
  - a. The accessory unit shall be no more than thirty (30) percent of the gross floor area of principal building and shall have a minimum floor area four hundred (400) square feet; gross floor area shall exclude any floor area that has less than two-thirds of its floor-to-ceiling height above the average adjoining ground level; gross floor area may include attic space if such space shall be included as habitable space within either dwelling unit;
  - b. There shall be no open outside stairways or fire escapes above the ground floor;
  - c. Any building additions or exterior alterations such as facade materials, building form, or roof pitch shall be designed to be compatible with the architectural style and to maintain the single-family appearance of the dwelling;
  - d. A minimum lot size of six thousand five hundred (6,500) square feet of land area shall be required;

- g. No dwelling unit shall be reduced in size to less than one thousand (1,000) square feet of floor area, exclusive of common areas and storage in basement or attic;
  - h. Parking shall be provided as required by division 20 of this article;
  - i. The project shall be subject to article V (site plan) of this chapter for site plan review and approval and the following additional standards:
    - i. Any additions or exterior alterations such as facade materials, building form and roof pitch shall be designed to be compatible with the architectural style of the building;
    - ii. The scale and surface area of parking, driveways and paved areas shall be arranged and landscaped to properly screen vehicles from adjacent properties and streets.
    - j. Either the accessory unit or principal unit shall be occupied by the lot owner, except for bona fide temporary absences.
3. Alteration of a structure existing and not in residential use as of January 1, 1984, to three (3) or more dwelling units, provided that:
- a. No open outside stairways or fire escapes above the ground floor shall be constructed or have been constructed in the immediately preceding five (5) years;
  - b. A lower level dwelling unit shall have a minimum of one-half of its floor-to-ceiling height above the average adjoining ground level;
  - c. Three thousand (3,000) square feet of land

area per dwelling unit shall be required;

- d. On-site parking shall be required as specified in division 20 (off-street parking) of this article, for the combined uses of the site;
- e. The project shall be subject to article V (site plan) of this chapter for site plan review and approval and the following additional standards:
  1. Any addition or exterior alterations such as façade materials, building form, and roof pitch shall be designed to be both compatible with the architectural style of the structure and to the extent practicable the adjoining neighborhood and shall be limited to a gross floor area equal to or less than 25% of the total existing floor area.
  2. The scale and surface area of parking, driveways, and paved areas shall be arranged and landscaped to be compatible in size and scale with neighboring properties in the area and to properly screen vehicles from adjacent properties and streets.

(b) Commercial:

1. Reserved.

(c) Institutional: Any of the following conditional uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:

1. Elementary, middle, and secondary school;
2. a. Long-term and extended care facilities;

- b. Intermediate care facility for thirteen (13) or more persons;
- 3. Places of assembly;
- 4. Hospital.

Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

- a. In the case of expansion of existing such uses onto land other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and
- b. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter; and
- c. In the case of a use or use expansion which constitutes a combination of the above-listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative; and
- d. Article V (site plan) sections 14-522 and 14-523 notwithstanding, in the case of places of assembly the proposed use shall be subject to the requirements of article V (site plan) of this chapter; and
- e. In the case of community halls:
  - i. The structure was in existence as of January 4, 2010.
  - ii. The structure was built for institutional or other non-residential uses;

iii. The structure is operated by, or operated subject to the control of, a not-for-profit entity in accordance with its not-for-profit purposes; and

iv. A parking management plan is submitted for review and approval by the planning board; and

f. In the case of private club or fraternal organizations: any such establishment serving alcoholic beverages or in possession of a license for serving alcoholic beverages shall be located on a large lot, as specified in the minimum lot size provisions of this section.

(d) Other:

1. Off-street parking of passenger cars as provided in section 14-344 (board of appeals may authorize parking in certain residence zones) of this article;
2. Utility substations, including sewage treatment plants, sewage and water pumping stations and standpipes, electric power substations, transformer stations, and telephone electronic equipment enclosures and other similar structures, provided that such uses are suitably screened and landscaped so as to ensure compatibility with the surrounding neighborhood;
3. Day care facilities or home babysitting services not permitted as a home occupation under section 14-410, and nursery schools and kindergartens subject to the following conditions:
  - a. The facility shall be located in a structure in which there is one (1) or more occupied residential units or in an existing accessory structure, unless the facility is located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately

preceding the application for a day care use, home babysitting use, nursery school or kindergarten, or in a nonresidential structure accessory to the principal nonresidential use.

- b. The maximum capacity shall be twelve (12) children for facilities located in residential or existing structures accessory thereto, unless the additional standards in subsection v. are met. There shall be no maximum limit on the number of children in a facility located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use, or in a nonresidential structure accessory thereto, provided that any such structure that serves more than twelve (12) children shall be subject to review under article V of this chapter.
- c. Outdoor play areas shall be screened and buffered from surrounding residences with landscaping and/or fencing to minimize visual and noise impacts.
- d. Solid waste shall be stored in covered containers. Such containers shall be screened on all four (4) sides.
- e. Day care facilities, home babysitting uses, nursery schools and kindergartens located either in structures that have been in residential use within the past five (5) years or in existing accessory structures and that serve between thirteen (13) and twenty-four (24) children shall meet the following additional standards:
  - i. The facility shall provide a minimum of seventy-five (75) square feet of outdoor play area per child;
  - ii. The play area shall be located in the

side and rear yards only and shall not be located in front yards;

- iii. Outside play areas shall be separated from abutting properties by a fence at least forty-eight (48) inches in height;
  - iv. A ten-foot wide landscaped buffer shall be required outside of the fenced play area, and shall be established in accordance with the landscaping standards of the City's Technical Standards and Guidelines;
  - v. The minimum lot size for a day care facility, home babysitting services, nursery school, or kindergarten located in a residential or existing accessory structure and serving more than twelve (12) children shall be twenty thousand (20,000) square feet;
  - vi. *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.
  - vii. The maximum number of children in a day care facility, home babysitting service, nursery school or kindergarten located in a residential or existing accessory structure shall be twenty-four (24); and
  - viii. Any additions or exterior alterations such as facade materials, building form, roof pitch, and exterior doors shall be designed to be compatible with the architectural style of the building and preserve the residential appearance of the building.
4. Temporary wind anemometer towers, as defined in Sec 14-47, are permitted provided the following standards are met in addition to Sec 14-430:
- a. Towers may be installed for the purpose of wind data collection for no more than two

- (2) years after the issuance of a Certificate of Occupancy for the tower. At the conclusion of the aforementioned two (2) years, the tower must be dismantled and removed from the site within sixty (60) days; and
- b. Towers shall be constructed according to plans and specifications stamped by a licensed professional engineer, which shall be provided to the Board of Appeals with the application; and
  - c. Towers shall be set back from habitable buildings by a distance equal to 1.1 times the tower height; and
  - d. The applicant shall provide a safety report prepared and stamped by a licensed professional engineer to the Board of Appeals with their application for conditional use, which demonstrates how the proposed temporary wind anemometer tower is safe in terms of strength, stability, security, grounding, icing impacts and maintenance; and
  - e. The applicant shall provide evidence of commercial general liability insurance, such insurance to be satisfactory to Corporation Counsel and cover damage or injury resulting from construction, operation or dismantling of any part of the temporary wind anemometer tower; and
  - f. Towers and associated guy wires shall be sited to minimize their prominence from and impacts on public ways (including pedestrian ways); and
  - g. Towers shall be used for installing anemometers and similar devices at a range of heights from the ground to measure wind characteristics (speed, direction, frequency) and related meteorological data, but shall not be used for any other purpose;

and

- h. A performance guarantee shall be required for the cost of removal of the tower, guy wires and anchors. This requirement may be satisfied by surety bond, letter of credit, escrow account or by evidence, acceptable to the City, or the financial and technical ability and commitment of the applicant or its agents to remove the facility at the end of the use period.

5. Wind energy systems, as defined and allowed in Article X, Alternative Energy.

(Ord. No. 534-84, 5-7-84; Ord. No. 262-84, § 2, 12-17-84; Ord. No. 76-85, § 4, 7-1-85; Ord. No. 36-85, § 2, 7-15-85; Ord. No. 67-87, § 1, 11-2-87; Ord. No. 81-88, § 4, 7-19-88; Ord. No. 235-91, § 5, 2-4-91; Ord. No. 118-93, § 5, 10-18-93; Ord. No. 133-96, § 3, 11-18-96; Ord. No. 154-96, § 5, 12-16-96; Ord. No. 222-99, § 3, 3-01-99; Ord. No. 199-04/05, 4-4-05; Ord. No. 29-09/10, 8-3-09 emergency passage; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 240-09/10, 6-21-10; Ord. No. 9 10/11, 8-2-10; Ord. No. 149-10/11, 3-7-11; Ord. No. 33-11/12, 1-18-12)

**Sec. 14-89. Prohibited uses.**

Uses that are not expressly enumerated herein as either permitted uses or conditional uses are prohibited.  
(Ord. No. 534-84, 5-7-84)

**Sec. 14-90. Dimensional requirements.**

In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in the R-3 zone shall meet the following minimum requirements:

(a) Minimum lot size:

1. Residential: Sixty-five hundred (6,500) square feet except as provided for lots of record is section 14-433 (lots of record and accessory structure setbacks for existing buildings) of this article. A lot in an unsewered residential district shall meet the provisions of the state Minimum Lot Size Law, 12 M.R.S.A. Section 4807 et seq., or the applicable zoning lot size, whichever is larger.
2. Alteration of a detached single-family dwelling

to a two-family dwelling: Ten thousand (10,000) square feet.

3. Long-term, extended, or intermediate care facilities: Two (2) acres.

4. School: Two (2) acres.

5. Places of assembly:

Large	Two (2) acres
Medium	One (1) acre
Small	Half (1/2) acre

6. Municipal use: Sixty-five hundred (6,500) square feet.

7. Hospital: Ten (10) acres.

8. Planned residential unit development (PRUD): Three (3) acres gross area, as defined in section 14-47 (definitions) of this article, of continuous land.

9. All other uses: Sixty-five hundred (6,500) square feet.

Provided that for uses specified in section 14-90(a)3 through 8 above, no minimum lot area shall be required in the following cases:

- a. Uses existing as of June 1, 1983;
- b. Expansion onto land abutting the lot on which the principal use is located;
- c. Expansion onto land other than the lot on which the principal use is located to the extent that such expansion consists of the reuse of surface parking area or nonresidential structures existing and in nonresidential use as of June 1, 1983, provided that such reuse is contained within the lot of record of such structure or parking area as of June 1, 1983;

- d. Expansion onto land other than the lot on which the principal use is located of no more than fifteen (15) percent of the total contiguous land area of the existing use, or one (1) acre, whichever is less, within any five-year period.

- (b) Minimum lot area per dwelling unit:

*PRUD*: Sixty-five hundred (6,500) square feet of net land area as defined in section 14-47 (definitions) of this article. As part of a site plan and subdivision application, the applicant shall provide a calculation of those factors deducted to determine net land area. In addition, such net area factors shall be delineated on a site plan.

*Other uses*: Sixty-five hundred (6,500) square feet.

- (c) Minimum street frontage: Fifty (50) feet, except that lots located in a subdivision approved after the effective date of Ord. No. 165-97 pursuant to section 14-497.5 shall meet the street frontage requirements approved as part of the subdivision plan under the terms of that section.

- (d) Minimum yard dimensions:

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

1. Front yard:

Principal or accessory structures: Twenty-five (25) feet.

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20%) percent of the depth of the lot.

2. Rear yard:

- a. Principal or accessory structures with ground coverage greater than one hundred (100) square feet: Twenty-five (25) feet.
- b. Accessory detached structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.

3. Side yard:

- a. Principal or accessory structures with ground coverage greater than one hundred (100) square feet:

<i>Height of Structure</i>	<i>Required Side Yard</i>
1 story . . . . .	8 feet
1 1/2 stories . . . . .	8 feet
2 stories . . . . .	14 feet
2 1/2 stories . . . . .	16 feet

The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than eight (8) feet in width. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be less than eight (8) feet.

- b. Accessory detached structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

4. Side yard on side street:

- a. Principal or accessory structures: Twenty (20) feet.
- (e) Maximum lot coverage: Thirty-five (35) percent of lot area.
- (f) Minimum lot width: Sixty-five (65) feet.
- (g) Maximum structure height: Principal or accessory attached structure: Thirty-five (35) feet.  
*Accessory detached structure: Eighteen (18) feet.*
- (h)
  - 1. *Maximum number of units in a building (PRUD of five (5) acres of more): Six (6) units.*
  - 2. Maximum number of units in a building (PRUD of less than five (5) acres): Two (2) units.
- (i) Maximum average number of units in a building (PRUD of five (5) acres of more): Five (5) units.
- (j) Maximum length of building (PRUD): One hundred (100) feet for buildings without garages; one hundred forty (140) feet for buildings with integral garages.
- (k) Minimum building setback from external subdivision property lines (PRUD):
  - 1. Three (3) or fewer dwelling units in building: Twenty-five (25) feet.
  - 2. Four (4) or more dwelling units in building: Thirty-five (35) feet.
- (l) Minimum distance between detached PRUD dwelling unit: Sixteen (16) feet.
- (m) Reserved.
- (n) Minimum recreation open space area (PRUD): Three hundred (300) square feet per dwelling unit of common area designated on the site for recreation purposes. Such recreation areas shall be level graded, dry, accessible and properly drained. At a minimum, a

contiguous area of six thousand (6,000) square feet with a minimum dimension of fifty (50) feet shall be provided and shall include one (1) or more of the uses set forth in section 14-526 (d) 9. and the planned residential unit development standards in the City of Portland Design Manual but shall at least provide usable recreation space. Such recreation areas shall be located at least twenty-five (25) feet from dwelling units.

- (o) No habitable space in a PRUD shall be below grade, except basements that are a part of and below ground units.
- (p) Maximum floor area for places of assembly on a collector or arterial road:

Large	Not limited
Medium	9,000 sq. ft.
Small	5,000 sq. ft.

- (q) Maximum floor area for places of assembly not on a collector or arterial road:

Large	9,000 sq. ft.
Medium	4,500 sq. ft.
Small	2,500 sq. ft.

(Ord. No. 534-84, 5-7-84; Ord. No. 81-88, § 5, 7-19-88; Ord. No. 385-89, §§ 1, 2, 4-3-89; Ord. No. 235-91, § 6, 2-4-91; Ord. No. 118-93, § 6, 10-18-93; Ord. No. 154-96, § 6, 12-16-96; Ord. No. 165-97, § 2, 12-1-97; Ord. No. 95-04/05, 11-15-04; Ord. No. 131-08/09, 12-15-08; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 40-12/13, 9-5-12)

-----  
\*Editor's note--Ord. No. 81-88, § 5, adopted July 19, 1988, amended § 14-90 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 81-88.  
-----

#### Sec. 14-91. Other requirement.

Other requirements are as follows:

- (a) Off-street parking: Off-street parking is required as provided in division 20 (off-street parking) of this article.

(b) Shoreland and flood plain management regulations: Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.

(c) Storage of vehicles: Only one (1) unregistered motor vehicle may be stored outside on the premises for a period not exceeding thirty (30) days.

(Ord. No. 534-84, 5-7-84; Ord. No. 15-92, § 7, 6-15-92)

**Secs. 14-92. Reserved.**

**Secs. 14-93. Reserved.**

#### DIVISION 4.5. FH FLEXIBLE HOUSING ZONE

##### **Sec. 14-94. Purpose.**

The intention of this division is to establish an overlay zone in which manufactured housing development is permitted in addition to those uses permitted in the underlying residential zone. The purpose of this division is to accommodate additional housing types in appropriate areas of the city, while protecting the value and integrity of established residential neighborhoods and ensuring a balanced and orderly pattern of residential development.

(Ord. No. 610-82, § 2, 7-7-82; Ord. No. 130-82, § 1, 9-20-82; Ord. No. 200-89, § 1, 12-18-89)

##### **Sec. 14-95. Manufactured housing park or subdivision.**

Notwithstanding any other provision of this article, no manufactured housing park or subdivision shall be permitted in any zone except as provided in this section.

(a) Manufactured housing park or subdivision, as defined in section 14-47, shall be permitted in the flexible housing zone, the Planning Board shall be the reviewing authority. Such development shall be in accordance with the space and bulk and other requirements applicable to similar uses permitted in the underlying zone, except those standards set forth in section 14-96, and shall also meet the following additional requirement:

1. Reserved.

2. Such development shall be subject to approval by the Planning Board with respect to each and every requirement of article VI of this chapter, including the special requirements of section 14-499.5, whether or not such development is a subdivision within the meaning of article IV of this chapter, as now enacted or as hereafter amended and shall also be subject to article V of this chapter.

3. Whether or not the underlying zone permits planned residential unit development, a manufactured housing park shall be a planned residential unit development, subject to the provisions of this section, section 14-499.5 and section 14-526 9. All land, including but not limited to private streets, private driveways, utility location areas, common parking areas and common recreation open space, shall be owned and used in common. Manufactured housing parks shall not be subject to the net land area calculations set forth in section 14-47.

4. Single-component manufactured housing shall be prohibited from being horizontally or vertically attached to any other unit or structure. (Provided, however, that this provision shall not be deemed to prohibit building additions, such as porches, garages, room additions or solar greenhouses.)

(Ord. No. 610-82, § 2, 7-7-82; Ord. No. 130-82, § 1, 9-20-82; Ord. No. 263-84, § 1, 12-17-84; Ord. No. 200-89, § 2, 12-18-89; Ord. No. 278-09/10, 7-19-10)

**Sec. 14-96. Additional dimensional requirements and performance standards for manufactured housing parks.**

Notwithstanding the provisions of section 14-95 and the dimensional requirements for underlying zones, the following dimensional requirements shall apply to manufactured housing parks:

- (a) Minimum manufactured housing park unit space size: Four thousand five hundred (4,500) square feet. A manufactured housing park unit space in an unsewered residential district shall meet the provisions of 12 M.R.S.A. 4807 et seq., or the applicable zoning lot size, whichever is larger.

- (b) Maximum manufactured housing park unit space coverage:  
Fifty (50) percent.
- (c) Minimum street frontage for manufactured housing park:  
Fifty (50) feet.
- (d) Minimum open space requirement: Ten (10) percent of  
the combined area of the individual unit spaces within  
the manufactured housing park.
- (e) Minimum yard dimensions:  
  
(Yard dimensions include setbacks from unit space  
boundaries and setbacks of structures from one another.  
No structure shall occupy the yard of another  
structure.):
  - 1. Front yard: Principal or accessory structures:  
Twenty (20) feet.
  - 2. Rear yard:
    - a. Principal or accessory structures with  
ground coverage greater than one hundred  
(100) square feet: Twenty (20) feet.
    - b. Accessory detached structures with ground  
coverage of one hundred (100) square feet or  
less: Five (5) feet.
  - 3. Side yard: Principal or accessory structures: Ten  
(10) feet.
  - 4. Unit spaces located within a shoreland zone shall  
meet the lot area and lot width requirements for  
the underlying zone and shall also meet all  
applicable shoreland zoning standards.
- (f) All manufactured housing park unit spaces within a  
manufactured housing park shall be shown on a  
manufactured housing plan showing unit space  
boundaries, unit space sizes, and unit space  
dimensions. Such unit spaces shall be under unified  
ownership with all other unit spaces within the  
manufactured housing park. The manufactured housing  
park plan shall also contain a note that city services

shall not be provided on private streets within the manufactured housing park. Individual leases for unit spaces shall disclose that city services shall not be provided on private streets within the manufactured housing park.

- (g) All single-family single-component manufactured housing units in a manufactured housing park shall meet the following performance standards:
1. More than half of the roof area of each unit shall be a double-pitched Class C rated shingled roof with a minimum pitch of 3/12.
  2. Each unit shall be installed on a full foundation, a concrete frost wall, or a reinforced floating concrete pad which shall be certified by an engineer if it is to be placed on soil with high frost susceptibility, in accordance with all applicable codes and regulations. Any hitch or tow bar shall be removed from the unit after it is placed on its foundation or frost wall. In the case of a frost wall, vermin-proof skirting shall be installed on all sides of the unit. The skirting may consist of either (a) concrete or masonry block or (b) manufactured skirting. If concrete or masonry block skirting is installed, either the exterior siding of the unit shall extend within one (1) foot of grade or decorative masonry siding shall be applied. If manufactured skirting material is installed, the color shall be identical to or compatible with the exterior siding of the unit.
  3. Each unit shall have exterior siding that is residential in appearance, including but not limited to natural materials such as wood clapboards or shakes, or exterior materials which simulate wood. Clapboard or simulated clapboards shall have less than eight (8) inches of exposure, and sheet metal type siding shall not be permitted.
  4. Each unit shall be provided with at least two (2) trees meeting the city's arboricultural specifications and which are clearly visible from

the street line and are located so as to visually widen the narrow dimension or proportion of the unit.

5. Each unit shall have all fuel oil supply systems constructed and installed within the foundation wall or underground in accordance with all applicable codes and regulations.

6. No unit shall be horizontally or vertically attached to any other unit or other structure, provided, however, that this provision shall not be deemed to prohibit building additions, such as porches, garages, room additions or solar greenhouses.

(Ord. No. 200-89, § 3, 12-18-89)

City of Portland  
Code of Ordinances  
Sec. 14-96

Land Use  
Chapter 14  
Rev. 12-18-1989

Sec. 14-97 - 14-100. Reserved.

DIVISION 6. R-5 RESIDENTIAL ZONE\*

-----  
\*Editor's note--Ord. No. 536-84, adopted May 7, 1984, repealed former Div. 6, §§ 14-116--14-119, and enacted in lieu thereof a new Div. 7, §§ 14-116--14-121. However, in order to avoid duplication of subsequent division numbers and in consultation with the city, the provisions have been retained as Div. 6. Sections 14-116--14-119 were formerly derived from Code 1968, § 602.5.A--D, and Ord. Nos. 207-72, 499-74, 193-82, 92-83, 422-83.  
-----

**Sec. 14-116. Purpose.**

The purpose of the R-5 residential zone is:

To provide appropriate areas of the city for medium-density residential development characterized by single-family and low-intensity multifamily dwellings on individual lots; to ensure the stability of established medium-density neighborhoods by controlling residential conversions; and to provide for planned residential unit development on substantially sized parcels. Such PRUD development shall respond to the physical qualities of a site and complement the scale, character and style of the surrounding neighborhood.

(Ord. No. 536-84, 5-7-84; Ord. No. 83-88, § 1, 7-19-88)

-----  
\*Editor's note--Ord. No. 83-88, § 1, adopted July 19, 1988, amended § 14-116 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 83-88.  
-----

**Sec. 14-117. Permitted uses.**

The following uses are permitted in the R-5 residential zone:

(a) Residential:

1. Single- and two-family dwellings; except that development of two (2) or more two-family dwellings on contiguous lots within any two-year period shall be subject to review as specified under the provisions of 14-117(a)2e if such lots were under single ownership at any time within the two-year period immediately prior to development of the first such lot. No building

reviewed as a two-family dwelling in accordance with article V (site plan) of this chapter or not reviewed under article V shall be altered or enlarged to include any additional dwelling unit within five (5) years from the date of issuance of the building permit. Any building reviewed as a two-family dwelling in accordance with article V (site plan) which is altered or enlarged to include any additional dwelling unit after this five-year period shall be reviewed as a level I site plan pursuant to article V of this chapter.

2. Multiplex development with three (3) or more horizontally or vertically attached dwelling units or a series of such attached dwelling units and the construction of at least one (1) building on a parcel of less than two (2) acres, provided that:
  - a. The land area requirement for a multiplex shall be six thousand (6,000) square feet of land area per dwelling unit; except that a multiplex with two hundred fifty (250) feet or more of street frontage needs only forty-five hundred (4,500) square feet of land area per dwelling unit;
  - b. No dwelling unit shall have less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic;
  - c. No open outside stairways or fire escapes above the ground floor shall be constructed;
  - d. No habitable space in a dwelling unit shall be below grade, except basements that are a part of and below aboveground units;
  - e. Such development shall be subject to article V (site plan) of this chapter for site plan review approval and shall conform to the R-5 Design Standards.
3. Planned residential unit development (PRUD) consisting of horizontally or vertically attached

dwelling units, or a series of such dwelling units. No dimensional requirements contained in section 14-120 shall apply with respect to such development, except for those requirements specifically denoted for PRUD. There shall be no open outside stairways or fire escapes above the ground floor. All land shall be owned and used in common and shall be governed and maintained as set forth in section 14-498(i)(3) of this chapter. Such development shall be subject to review and approval by the Planning Board with respect to the requirements of article V (site plan) and article IV (subdivisions) of this chapter, whether or not such development is a subdivision within the meaning of article IV of this chapter, as now enacted or as hereafter amended.

4. Handicapped family unit, as defined in section 14-47 (definitions) of this article, for handicapped persons plus staff.
5. Single-family, multiple-component manufactured housing, as defined in section 14-47 (definitions) of this article, except in a National Register Historic District.
6. Single-family, single-component manufactured housing, as defined in section 14-47 (definitions) of this article, on individual lots under separate and distinct ownership, except in a National Register Historic District, provided that each unit meets the performance standards listed below:
  - a. More than half of the roof area of each unit shall be a double pitched Class C rated shingled roof with a minimum pitch of 3/12.
  - b. Each unit shall be installed on a full foundation or a concrete frost wall in accordance with all applicable codes and regulations. Any hitch or tow bar shall be removed from the unit after it is placed on its foundation or frost wall. In the case of a frost wall, vermin proof skirting shall be

installed on all sides of the unit. The skirting may consist of either (a) concrete or masonry block or (b) manufactured skirting. If concrete or masonry block skirting is installed, either the exterior siding of the unit shall extend within one (1) foot of grade or decorative masonry siding shall be applied. If manufactured skirting material is installed, the color shall be identical to or compatible with the exterior siding of the unit.

- c. Each unit shall have exterior siding that is residential in appearance, including but not limited to natural materials such as wood clapboards or shakes, or exterior materials which simulate wood. Clapboards or simulated clapboards shall have less than eight (8) inches of exposure and sheet metal type siding shall not be permitted.
- d. Each unit shall have the long side of the unit parallel to the street line where the required street frontage is met.
- e. Each unit shall be provided with at least two (2) trees meeting the city's arboricultural specifications and which are clearly visible from the street line and are located so as to visually widen the narrow dimension or proportion of the unit.
- f. Each unit shall have all fuel oil supply systems constructed and installed within the foundation wall or underground in accordance with all applicable codes and regulations.
- g. No unit shall be horizontally or vertically attached to any other unit or other structure, provided however, that this provision shall not be deemed to prohibit building additions, such as porches, garages, room additions or solar greenhouses.

(b) Other:

1. Parks, and other active and passive noncommercial recreation spaces;
2. Accessory uses customarily incidental and subordinate to the location, function, and operation of principal uses, subject to the provisions of section 14-404 (accessory use) of this article;
3. Home occupation, subject to the provisions of section 14-410 (home occupation) of this article;
4. Municipal uses, excluding those specifically set forth in section 14-118 of this division.
5. Special needs independent living units on lots of less than two (2) acres, provided that a building housing special needs independent living units shall not house other types of residential or other permitted uses. The owner of a special needs independent living unit building shall file in the Cumberland County Registry of Deeds a statement under oath that the building is a special needs independent living unit building and that any future change of use to a permitted residential use shall require a change in use review by the City of Portland and a decrease in the number of units in the building in accordance with the Portland City Code, chapter 14. The owner shall file proof of such recording with the building inspections division prior to the issuance of any certificates of occupancy for the new uses.
6. Wind energy systems, as defined and allowed in Article X, Alternative Energy.

(Ord. No. 536-84, 5-7-84; Ord. No. 265-84, § 1, 12-17-84; Ord. No. 98-86, § 1, 10-6-86; Ord. No. 83-88, §§ 2, 3, 7-19-88; Ord. No. 387-89, 4-3-89; Ord. No. 86A-89, § 5, 8-21-89; Ord. No. 95-89, § 1, 9-6-89; Ord. No. 279-90, § 1, 3-10-90; Ord. No. 33-91, § 6, 1-23-91; Ord. No. 33A-91, § 4, 4-17-91; Ord. No. 220-95, 4-3-95; Ord. No. 165-97, § 3, 12-1-97; Ord. No. 56-08/09, 9-3-08; Ord. No. 278-09/10, 7-19-10; Ord. No. 33-11/12, 1-18-12)

-----  
\*Editor's note--Ord. No. 83-88, §§ 2, 3, adopted July 19, 1988, amended subsections 14-117(a) and (b)4 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 83-88. Ord. No.

95-89, § 1, adopted Sept. 6, 1989, amended subsection (a)1 of § 14-117 to read as set out and, as amended, further ordained "that the prohibition upon unit additions contained in this ordinance shall not apply where a building permit has been issued. Additions proposed to such buildings shall require major site plan review and all other reviews required by this chapter."

-----  
**Sec. 14-118. Conditional uses.**

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) and any special provisions, standards or requirements specified below:

(a) Residential:

1. Reserved.

2. Sheltered care group homes, as defined in section 14-47 of this article, for up to twelve (12) individuals, plus staff, and serving a primary population which is not handicapped persons, parolees, persons involved in correctional prerelease programs, or current illegal drug users, provided that:

a. A sheltered care group home shall not be located within five hundred (500) feet of another, as measured along street lines to the respective property lines;

b. There shall be no open outside stairways or fire escapes above the ground floor;

c. The facility shall make provision for adequate on-site staffing and supervision of residents in accordance with applicable state licensing requirements. If a facility is not licensed by the state, there shall be a minimum of one (1) staff person for every ten (10) residents or fraction thereof.

The board of appeals may impose conditions upon a conditional use permit concerning the creation or operation of a sheltered care group home

including but not limited to the following: site and building maintenance; lighting, fencing, and other appropriate security measures; screening and buffering of parking areas; compatibility of any additions or alterations with the existing residential structure; compatibility of new structures with the architectural character of the surrounding area; and limitation on the duration of the sheltered care group home permit.

3. Alteration of a structure existing and not in residential use as of January 1, 1984, to three (3) or more dwelling units, provided that:
  - a. ~~No dwelling unit shall have less than six hundred (600) square feet of floor area, exclusive of common hallways and storage in basement and attic;~~
  - b. No open outside stairways or fire escapes above the ground floor shall be constructed or have been constructed in the immediately preceding five (5) years;
  - c. A lower level dwelling unit shall have a minimum of one-half of its floor-to-ceiling height above the average adjoining ground level;
  - d. Three thousand (3,000) square feet of land area per dwelling unit shall be required;
  - e. On-site parking shall be required as specified in division 20 (off-street parking) of this article, for the combined uses of the site;
  - f. The project shall be subject to article V (site plan) of this chapter for site plan review and approval and the following additional standards:
    1. Any addition or exterior alterations such as facade materials, building form, and roof pitch shall be designed to be compatible with the architectural style

of the structure;

2. The scale and surface area of parking, driveways, and paved areas shall be arranged and landscaped to be compatible in size and scale with neighboring properties in the area and to properly screen vehicles from adjacent properties and streets.
4. Conversions of existing two-family or multiplex structures into lodging houses, provided that a lodging house shall not be located within five hundred (500) feet of another as measured along street lines to the respective property lines.
5. Use of space existing as of September 3, 2008 to accommodate additional dwelling units under the following conditions:
  - a. This section shall under no conditions permit more than four dwelling units on a lot and shall not allow more than two additional dwelling units on a lot above what would otherwise be permitted;
  - b. Any units created under this section may not be sold as condominium units or otherwise separated from the ownership of at least one of the pre-existing units on the site ;
  - c. Any units created under this section must be affordable to households earning up to 80% of AMI and are subject to income verification as further outlined in implementing regulations ;
  - d. The additional units shall have a minimum floor area of four hundred (400) square feet and may not involve removing more than ten percent of the gross floor area of an existing dwelling unit into a new dwelling unit. Gross floor area shall exclude any floor area that has less than two-thirds of its floor-to-ceiling height above the average adjoining ground level and may

include the attic if such space is habitable.

- e. Modifications to existing structures shall be minimal, and be limited to new doors, windows and other openings;
  - f. Parking shall be provided as required by Division 20 of this article;
  - g. There shall be no open, outside stairways or fire escapes above the ground floor; and
  - h. The project shall be subject to Article V for site plan review and approval and the following additional standards:
    - i. Any additions or exterior alterations such as façade materials, building form, roof pitch, and exterior doors shall be designed to be compatible with the architectural style of the building and preserve the single family appearance of the building; and
    - ii. The scale and surface area of parking, driveways and paved areas shall be arranged and landscaped properly to screen vehicles from adjacent properties and streets.
- (b) Institutional: Any of the following conditional uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article, or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:
- 1. Elementary, middle, and secondary school;
  - 2.
    - a. Long-term and extended care facilities;
    - b. Intermediate care facility for thirteen (13) or more persons;
  - 3. Places of assembly;

4. Reserved;
5. Hospital;
6. College, university, trade school.

Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

- a. In the case of expansion of existing such uses onto land other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and
- b. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter; and
- c. In the case of a use or use expansion which constitutes a combination of the above-listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative; and
- d. Article V (site plan) sections 14-522 and 14-523 notwithstanding, in the case of places of assembly the proposed use shall be subject to the requirements of article V (site plan) of this chapter; and
- e. In the case of community halls:
  - i. The structure was in existence as of January 4, 2010;
  - ii. The structure was built for institutional or other non-residential uses;

- iii. The structure is operated by, or operated subject to the control of, a not-for-profit entity in accordance with its not-for-profit purposes; and
- iv. A parking management plan is submitted for review and approval by the planning board; and
- f. In the case of private club or fraternal organizations: any such establishment serving alcoholic beverages or in possession of a license for serving alcoholic beverages shall be located on a large lot, as specified in the minimum lot size provisions of this section.
- d. A college, university or trade school may build principal structures to a height of fifty-five (55) feet, not including the USM overlay zone, if the following standards can be met:
  - (i) Lot size: 10 acres which may include adjacent land owned by the institution on both sides of a public street.
  - (ii) Minimum setback between buildings on-site: 20 feet.
  - (iii) Minimum setback from external property boundary: 30 feet, except that parking garages over 35 feet in height must be located 50 feet from external property boundaries when adjacent to an adjoining residential use.
  - (iv) The area between the structure and adjoining residential uses must be adequately screened with appropriate landscaping or other features to buffer the building and effects thereof (i.e. noise, light, etc) from abutting properties.

(c) Other:

1. Off-street parking of passenger cars as provided in section 14-344 (board of appeals may authorize parking in certain residential zones) of this article;
2. Utility substations such as water and sewage pumping stations and standpipes, electric power substations, transformer stations, and telephone electronic equipment enclosures and other similar structures, provided that such uses are suitably screened and landscaped so as to ensure compatibility with the surrounding neighborhood;
3. Day care facilities or home babysitting services not permitted as a home occupation under section 14-410, and nursery schools and kindergartens subject to the following conditions:
  - a. The facility shall be located in a structure in which there is one (1) or more occupied residential units or in an existing accessory structure, unless the facility is located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care or home babysitting use or in a nonresidential structure accessory to the principal nonresidential use.
  - b. The maximum capacity shall be twelve (12) children for facilities located in residential or existing structures accessory thereto, unless the additional standards in subsection v. are met. There shall be no maximum limit on the number of children in a facility located in a principal structure that has not been used as a residence in whole or in part within the five (5) years immediately preceding the application for a day care use, home babysitting use, nursery school, or kindergarten, or in a nonresidential structure accessory thereto, provided that any such structure that serves more than twelve (12)

children shall be subject to review under article V of this chapter.

- c. Outdoor play areas shall be screened and buffered from surrounding residences with landscaping and/or fencing to minimize visual and noise impacts.
- d. Solid waste shall be stored in covered containers. Such containers shall be screened on all four (4) sides.
- e. Day care facilities, nursery schools and kindergartens located either in structures that have been in residential use within the past five (5) years or in existing accessory structures and that serve between thirteen (13) and twenty-four (24) children shall meet the following additional standards:
  - i. The facility shall provide a minimum of seventy-five (75) square feet of outdoor play area per child;
  - ii. The play area shall be located in the side and rear yards only and shall not be located in front yards;
  - iii. Outside play areas shall be separated from abutting properties by a fence at least forty-eight (48) inches in height;
  - iv. A ten-foot wide landscaped buffer shall be required outside of the fenced play area, and shall be established in accordance with the landscaping standards of the City's Technical Standards and Guidelines;
  - v. The minimum lot size for a day care facility, home babysitting service, nursery school, or kindergarten located in a residential or existing accessory structure and serving more than twelve (12) children shall be twenty thousand (20,000) square feet;

- vi. *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.
  - vii. The maximum number of children in a day care facility, home babysitting service, nursery school or kindergarten located in a residential or existing accessory structure shall be twenty-four (24); and
  - viii. Any additions or exterior alterations such as facade materials, building form, roof pitch, and exterior doors shall be designed to be compatible with the architectural style of the building and preserve the residential appearance of the building.
4. Temporary wind anemometer towers, as defined in Sec 14-47, are permitted provided the following standards are met in addition to Sec 14-430:
- a. Towers may be installed for the purpose of wind data collection for no more than two (2) years after the issuance of a Certificate of Occupancy for the tower. At the conclusion of the aforementioned two (2) years, the tower must be dismantled and removed from the site within sixty (60) days; and
  - b. Towers shall be constructed according to plans and specifications stamped by a licensed professional engineer, which shall be provided to the Board of Appeals with the application; and
  - c. Towers shall be set back from habitable buildings by a distance equal to 1.1 times the tower height; and
  - d. The applicant shall provide a safety report prepared and stamped by a licensed professional engineer to the Board of Appeals with their application for

conditional use, which demonstrates how the proposed temporary wind anemometer tower is safe in terms of strength, stability, security, grounding, icing impacts and maintenance; and

- e. The applicant shall provide evidence of commercial general liability insurance, such insurance to be satisfactory to Corporation Counsel and cover damage or injury resulting from construction, operation or dismantling of any part of the temporary wind anemometer tower; and
- f. Towers and associated guy wires shall be sited to minimize their prominence from and impacts on public ways (including pedestrian ways); and
- g. Towers shall be used for installing anemometers and similar devices at a range of heights from the ground to measure wind characteristics (speed, direction, frequency) and related meteorological data, but shall not be used for any other purpose; and
- h. A performance guarantee shall be required for the cost of removal of the tower, guy wires and anchors. This requirement may be satisfied by surety bond, letter of credit, escrow account or by evidence, acceptable to the City, or the financial and technical ability and commitment of the applicant or its agents to remove the facility at the end of the use period.

5. Wind energy systems, as defined and allowed in Article X, Alternative Energy.

(Ord. No. 536-84, 6-7-84; Ord. No. 265-84, § 2, 12-17-84; Ord. No. 76-85, § 6, 7-1-85; Ord. No. 83-88, § 4, 7-19-88; Ord. No. 235-91, § 10, 2-4-91; Ord. No. 118-93, § 9, 10-18-93; Ord. No. 133-96, § 5, 11-18-96; Ord. No. 154-96, § 9, 12-16-96; Ord. No. 222-99, §5, 3-01-99; Ord. No. 94-07/08, 11-5-07; Ord. No. 56/08/09, 9-3-08; Ord. No. 29-09/10, 8-3-09 emergency passage; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 240-09/10, 6-21-10; Ord. No. 9 10/11, 8-2-10; Ord. No. 149-10/11, 3-7-11; Ord. No. 33-11/12, 1-18-12; Ord. 82-15/16, 10-19-2015)

-----  
\*Editor's note--Ord. No. 83-88, § 4, adopted July 19, 1988,  
amended § 14-118 by deleting subsection (b)5. See also the  
editor's note to Art. III of this chapter for additional  
provisions relative to Ord. No. 83-88.  
-----

**Sec. 14-119. Prohibited uses.**

Uses that are not expressly enumerated herein as either  
permitted uses or conditional uses are prohibited.  
(Ord. No. 536-84, 5-7-84)

**Sec. 14-120. Dimensional requirements.**

(a) In addition to the provisions of division 25 (space  
and bulk regulations and exceptions) of this article, lots in  
the R-5 zone shall meet the following minimum requirements:

1. Minimum lot size:

- a. Residential: Six thousand (6,000) square feet  
except as provided for lots of record in section  
14-433 (lots of record and accessory structure  
setbacks for existing buildings) of this article.  
A lot in an unsewered residential district shall  
meet the provisions of the state Minimum Lot Size  
Law, 12 M.R.S.A. section 4807, or the applicable  
zoning lot size, whichever is larger.
- b. Reserved.
- c. Long-term, extended, or intermediate care  
facility: Two (2) acres.
- d. School: Thirty thousand (30,000) square feet.

e. Places of assembly:

Large	43,560 sq. ft.
Medium	21,780 sq. ft.
Small	10,890 sq. ft.

- f. Municipal use: Six thousand (6,000) square feet.
- g. Hospital: Five (5) acres.

- h. College, university, trade school: Two (2) acres.
- i. Multiplex: Nine thousand (9,000) square feet.
- j. Planned residential unit development (PRUD): Two (2) acres gross area, as defined in section 14-47 (definitions) of this article, of contiguous land.
- k. All other uses: Six thousand (6,000) square feet.
- l. Lodging houses: Nine thousand (9,000) square feet.

Provided that for uses specified in section 14-120 (1)(c) through (i) above, no minimum lot area shall be required in the following cases:

- i. Uses existing as of June 1, 1983;
  - ii. Expansion of uses onto land abutting the lot on which the principal use is located;
  - iii. Expansion onto land other than the lot on which the principal use is located to the extent that such expansion consists of the reuse of surface parking area or nonresidential structures existing and in nonresidential use as of June 1, 1983, provided that such reuse is contained within the lot of record of such structure or parking area as of June 1, 1983;
  - iv. Expansion onto land other than the lot on which the principal use is located of no more than fifteen (15) percent of the total contiguous land area of the existing use, or one (1) acre, whichever is less, within any five-year period.
2. Minimum lot area per dwelling unit:
- PRUD: Three thousand (3,000) square feet of net land area as defined in section 14-47 (definitions) of this article. As part of a site plan and subdivision application, the applicant shall provide a calculation

of those factors deducted to determine net land area. In addition, such net area factors shall be delineated on a site plan.

*Special needs independent living units:* Four thousand eight hundred (4,800) square feet; except that special needs independent living units with two hundred fifty (250) feet or more of frontage shall require three thousand six hundred (3,600) square feet.

*Other uses:* Three thousand (3,000) square feet, except as provided for a multiplex.

3. Minimum street frontage: Fifty (50) feet.
4. Minimum yard dimension:

(Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)

a. Front yard:

Principal or accessory structures: Twenty (20) feet.

A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.

b. Rear yard:

- i. Principal or attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.
- ii. Accessory detached structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

Setbacks from swimming pools shall be as provided in section 14-432 (swimming pools) of this article.

c. Side yard:

- i. Principal or accessory structures with ground coverage greater than one hundred (100) square feet:

<i>Height of Structure</i>	<i>Required Side Yard</i>
1 story . . . . .	8 feet
1 1/2 stories . . . . .	8 feet
2 stories . . . . .	12 feet
2 1/2 stories . . . . .	14 feet

The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than eight (8) feet in width. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be less than eight (8) feet.

- ii. Accessory detached structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.

d. Side yard on side street:

Principal or accessory structures: Fifteen (15) feet.

- 5. Maximum lot coverage: Forty (40) percent of lot area.

6. Minimum lot width:

Multiplex: Ninety (90) feet.

Other uses: Sixty (60) feet.

7. Maximum structure height:

*Principal or attached accessory structure:* Thirty-five (35) feet.

*Accessory detached structure:* Eighteen (18) feet.

*Principal and accessory attached structure (PRUD):* Thirty-five (35) feet.

8. a. *Maximum number of units in a building (PRUD):*  
Twelve (12) units

b. *Maximum number of units in a multiplex building:*  
Six (6) units.

9. *Maximum length of building (PRUD):* One hundred forty (140) feet.

10. *Maximum length of accessory garage structure (PRUD):*  
Sixty (60) feet.

11. *Minimum building setback from external subdivision property lines (PRUD):*

a. *Building length of one hundred (100) feet or less:* Twenty-five (25) feet.

b. *Building length greater than one hundred (100) feet:* Thirty-five (35) feet.

12. *Minimum recreation open space area (PRUD):* Three hundred (300) square feet per dwelling unit of common area designated for recreation purposes. Such recreation areas shall be level graded, dry, accessible and properly drained. At a minimum, a contiguous area of six thousand (6,000) square feet, with a minimum dimension of fifty (50) feet, shall be provided and shall include one (1) or more of the uses set forth in section 14-526(d) 9. and the planned residential unit development standards in the City of Portland Design Manual, but shall at least be usable as a multipurpose game field. Such recreation areas shall be located at least twenty-five (25) feet from dwelling units.

13. No habitable space in a PRUD shall be below grade, except basements that are part of and below aboveground units.

14. a. *Minimum rooming unit area for lodging houses:* Two hundred (200) square feet of combined rooming unit and common area per rooming unit. Each individual rooming unit shall be a minimum of eighty (80) square feet.

b. *Minimum land area per lodging house rooming unit:* One thousand (1,000) square feet.

15. Maximum floor area for places of assembly on a collector or arterial road:

Large	Not limited
Medium	4,500 sq. ft.
Small	2,250 sq. ft.

16. Maximum floor area for places of assembly not on a collector or arterial road:

Large	4,500 sq. ft.
Medium	2,250 sq. ft.
Small	1,125 sq. ft.

(b) *Small residential lot development:* Single family homes may be built on small lots located in the R-5 and may use the dimensional requirements below if one of the following conditions is met:

The lot is:

Vacant as of (date of enactment); or used exclusively for parking; or contains structure(s) not used for residential purposes; or created from a single lot division of a developed lot and results in a lot meeting the dimensional requirements of § 14-120(b) with the remaining developed portion meeting the dimensional requirements of §14-120(a) (1)-(14) except as expressly provided in Section 14-120(b).

1. *Minimum lot size:* Five thousand (5,000) square feet.
2. *Maximum lot size:*

- a. Lots that are vacant as of September 3, 2008, used exclusively for parking, or contain structure(s) not used for residential purposes: Six thousand (6,000) square feet.
- b. Original developed lot prior to the single lot division that results in a lot meeting the dimensional requirements of §14-120(b) with the remaining developed portion meeting the dimensional requirements of §14-120(a)(1)-(14): Thirteen thousand (13,000) square feet.

3. Yard dimensions:

a. Side yard:

- i. Principal or attached accessory structures with ground coverage greater than one hundred (100) square feet: Seven (7) feet.

The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than four (4) feet in width.

- ii. Side yard on side street: Ten (10) feet.

4. Minimum lot width: Forty (40).

5. Minimum street frontage: Forty (40).

6. Maximum lot coverage: Fifty (50) percent.  
(Ord. No. 536-84, 5-7-84; Ord. No. 98-86, § 2, 10-6-86; Ord. No. 83-88, § 5, 7-19-88; Ord. No. 386-89, §§ 1, 2, 4-3-89; Ord. No. 235-91, § 11, 2-4-91; Ord. No. 33A-91, § 5, 4-17-91; Ord. No. 118-93, § 10, 10-18-93; Ord. No. 154-96, § 10, 12-16-96; Ord. No. 165-97, § 4, 12-1-97; Ord. No. 56-08/09, 9-3-08; Ord. No. 131-08/09, 12-15-08; Ord. No. 127-09/10, 1-4-10 emergency passage; Ord. No. 278-09/10, 7-19-10; Ord. No. 275-10/11, 10-18-10)

-----  
\*Editor's note--Ord. No. 83-88, § 5, adopted July 19, 1988, amended § 14-120 to read as herein set out. See also the editor's note to Art. III of this chapter for additional provisions relative to Ord. No. 83-88.  
-----

**Sec. 14-121. Other requirements.**

- (a) Off-street parking: Off-street parking is required as provided in division 20 (off-street parking) of this article.
- (b) Shoreland and flood plain management regulations: Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.
- (c) Storage of vehicles: Only one (1) unregistered motor vehicle may be stored outside on the premises for a period not exceeding thirty (30) days.
- (d) Small residential lot development shall conform to the site plan standards of § 14-526.

(Ord. No. 536-84, 5-7-84; Ord. No. 15-92, § 9, 6-15-92; Ord. No. 56-08/09, 9-3-08)

**Sec. 14-122 - 14-125. Reserved.**

City of Portland  
Code of Ordinances  
Sec. 14-121

Land Use  
Chapter 14  
Rev. 9-3-2008

**SURVEY PLAN REFERENCES**

- 1) PLAN OF LAND FOR ALBERT ABALL DATED APRIL 21, 2009 PREPARED BY ROBERT GREENGLAU RECORDED IN GORD P/B 269, PG 206.
- 2) SITE PLAN DRIVEWAY RECONSTRUCTION REED SCHOOL DATED AUGUST 1988 PREPARED BY PINKHAM & CREER ENGINEERS.
- 3) HOMESTEAD AVENUE SEWER PLAN DATED JULY 23, 1949 CITY OF PORTLAND PLAN 76245.
- 4) PLAN OF HOMESTEAD VILLAGE DATED OCTOBER 1939 PREPARED BY H.L. JORDAN RECORDED IN GORD P/B 23, PG 21.
- 5) CITY OF PORTLAND ADDITION TO THOMAS REED SCHOOL HOUSE LOT DATED JUNE 2, 1931, PORTLAND PLAN 1462/71.
- 6) CITY OF PORTLAND HOMESTEAD AVE. SCHOOL HOUSE LOT DATED APRIL 30, 1929, PORTLAND PLAN 1426/65.
- 7) PLAN OF LAND MADE FOR BENJAMIN F. LIBBY DATED JUNE 26, 1924 PREPARED BY E.C. JORDAN & CO. RECORDED IN GORD P/B 4, PG 3.
- 8) PLAN OF PORTLAND PARK DATED OCTOBER 1961 PREPARED BY VANNAY & GERRARD RECORDED IN GORD P/B 3, PG 19.
- 9) PLOT PLAN & DETAILS ADDITION TO THOMAS REED SCHOOL BY WADSWORTH & BOSTON ARCHITECTS.
- 10) CITY OF PORTLAND DEPT. OF PUBLIC WORKS PLAN OF HOMESTEAD AVE. DATED SEPTEMBER 11, 1928, PORTLAND PLAN 947461.
- 11) CITY OF PORTLAND DEPT. OF PUBLIC WORKS PLAN OF LIBBY STREET DATED JULY 28, 1931, PORTLAND PLAN 924745.

**SURVEY GENERAL NOTES**

- 1) ELEVATIONS ARE ADJUSTED TO CITY OF PORTLAND VERTICAL DATUM.
- 2) UNDERGROUND UTILITIES WERE NOT LOCATED BUT WERE TAKEN FROM PLAN REFERENCES 2, 3, 4 & 5.
- 3) DISCAPE SHOULD BE CONTACTED BEFORE ANY EXCAVATION OR CONSTRUCTION.
- 4) COORDINATE SYSTEM IS MAINE STATE 1983 DERIVED FROM STATIC GPS OBSERVATION ON SITE.
- 5) AREA OF PARCEL EQUALS 160,471 SQUARE FEET OR 231 ACRES, MORE OR LESS.
- 6) BUILDING WAS LOCKED. FLOOR ELEVATIONS ARE APPROXIMATE AND TAKEN AT DOOR SILLS.

**CITY OF PORTLAND SITE PLAN NOTES**

1. LANDSCAPING SHALL MEET THE "LANDSCAPING SPECIFICATIONS AND STANDARDS OF PRACTICE AND LANDSCAPING GUIDELINES OF THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES."
2. THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DENICED ON THE SITE PLAN. APPROVAL OF THE PLANNING BOARD OR PLANNING BOARD SHALL BE REQUIRED FOR ANY ALTERATION TO OR DEVIATION FROM THE APPROVED SITE PLAN, INCLUDING WITHOUT LIMITATION, ALTERATION TO OR DEVIATION FROM THE APPROVED SITE PLAN, INCLUDING, WITHOUT LIMITATION, TOPOGRAPHY, DRAINAGE, LANDSCAPING, RETENTION OF WOODS OR LAWN AREAS, ACCESS, SIZE, LOCATION, AND BRACING OF PARKING AREAS AND LOCATION AND SIZE OF BUILDINGS.
3. ALL POWERLINE UTILITIES ARE OVERHEAD OR UNDERGROUND AS SHOWN ON THE PLAN NO CHANGE TO THE SERVICE IS PLANNED.
4. SIDEWALKS AND CURBS SHALL BE DESIGNED AND BUILT WITH TYPICAL RAMP AT ALL STREET CORNERS, CROSSWALKS AND DRIVEWAYS IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
5. ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE MAINE EROSION AND SEDIMENT CONTROL BYTES PUBLISHED BY THE BUREAU OF LAND AND WATER, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MARCH 2005.
6. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR REGRADING.
7. ALL DISTURBED AREAS ON THE SITE NOT COVERED BY BUILDINGS OR PAVED AREAS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED BY BEST MANAGEMENT PRACTICES (BMP) ABOVE.
8. PRIOR TO CONSTRUCTION, A PRECONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC WORKS REPRESENTATIVE AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK AT THAT TIME. THE SITE BUILDING CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE TO THE ATTENDING CITY REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRECONSTRUCTION MEETING.
9. EXISTING VEGETATION SHALL BE CONSERVED IN AREAS SHOWN ON THIS SITE. FENCING OR OTHER PROTECTIVE BARRIERS SHALL BE ERRECTED WITHIN THE DUMP-LINE OR INDIVIDUAL GROUPINGS OF TREES DESIGNATED FOR PRESERVATION PRIOR TO THE ONSET OF CONSTRUCTION. REGRADING SHALL NOT TAKE PLACE WITHIN THE DUMP-LINE OF TREES DESIGNATED FOR PRESERVATION. NO STORAGE OR CONSTRUCTION MATERIALS SHALL BE PERMITTED WITHIN THE DUMP-LINE OF TREES TO BE PRESERVED.

**GENERAL NOTES**

1. OWNER, CITY OF PORTLAND, 390 CONGRESS STREET, PORTLAND, MAINE, GUNBERLAND COUNTY REGISTRY OF DEEDS P/L 102, PG 87 & P/L 157, PG 391.
2. APPLICANT/DEVELOPER: DEVELOPERS COLLABORATIVE, 100 COMMERCIAL ST., SUITE 414, PORTLAND, ME 04101.
3. ENGINEER: PINKHAM & CREER CIVIL ENGINEERS, 20 VANNAH AVENUE, PORTLAND, MAINE 04103.
4. TOPOGRAPHIC AND BOUNDARY INFORMATION: MAINE SURVEY CONSULTANTS, INC. HARRISON, MAINE. COORDINATE SYSTEM IS MAINE STATE 1983 DERIVED FROM STATIC GPS OBSERVATION ON SITE. BENCH-MARKS AS SHOWN ON PLAN.
5. SOILS MAPPING PROVIDED BY MARK HATTON ASSOCIATES, INC. PORTLAND, MAINE.
6. ZONE: R-3 RESIDENTIAL, PROPOSED USE: DAYCARE FACILITY.
7. TAX MAP REFERENCE: MAP 336/LOTS 4846-4850, 4855 & 4864.
8. TOTAL PARCEL = 231 ACRES.
9. WAIVERS NONE REQUESTED AT THIS TIME.
10. CALL DIG-SAFE PRIOR TO COMMENCING WORK. 811 OR 1-888-DIG-SAFE.
11. EXISTING BUILDING IS DEMOLISHED BY PUBLIC WATER AND SEWER.
12. POWER, TELEPHONE AND CABLE ARE EXISTING, NO CHANGE IS PLANNED.
13. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE MAINE EROSION AND SEDIMENT CONTROL BYTES PUBLISHED BY THE BUREAU OF LAND AND WATER QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION, MARCH 2006.

**DRAWINGS LIST**

- C1/0 SITE PLAN
- C1/1 EXISTING CONDITIONS AND DEMOLITION PLAN
- C1/2 SITE DETAILS
- C3/0 EROSION CONTROL NOTES
- C3/1 EROSION CONTROL PLAN AND DETAILS
- D1/0 DRAINAGE ANALYSIS
- SURVEY, PLAN OF LAND

**PLANT LIST**

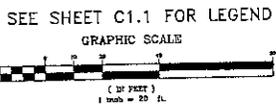
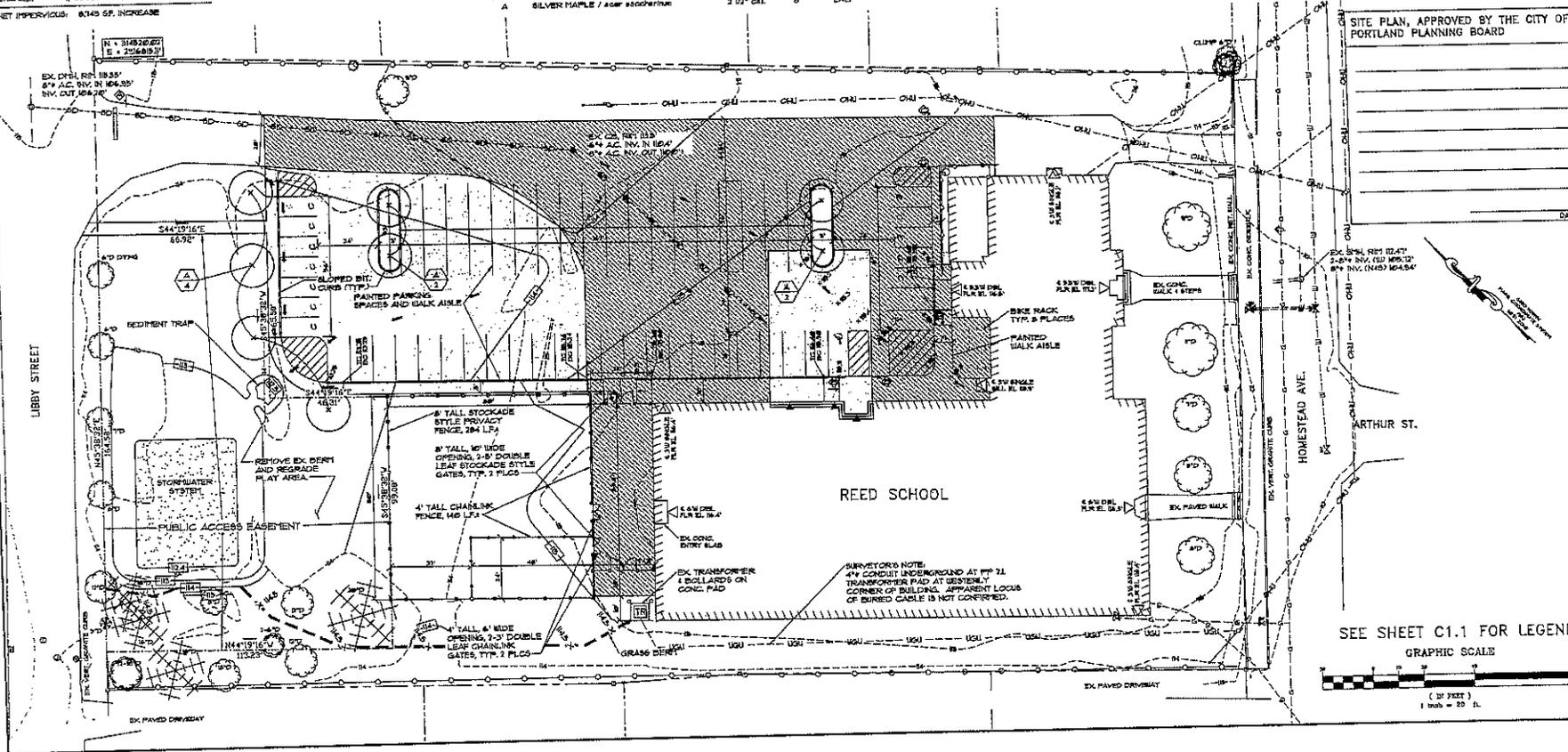
SYMBOL	COMMON NAME/BOTANICAL NAME	SIZE	QUANTITY	ROOT
A	SILVER MAPLE / <i>Acer spicatum</i>	3 1/2" cal.	8	2543

**IMPERVIOUS AREAS**

SURFACE	LAGN	BUILDING	PAVEMENT	ACCESSIBLE SPACES, 8'x18'	3 SPACES
EXISTING	59,295 SF.	14,476 SF.	26,286 SF.	COMPACT SPACES, 8'x15'	0 SPACES
PROPOSED	81,466 SF.	22,826 SF.	37,280 SF.	STANDARD SPACES, 8'x18'	53 SPACES
CHANGE:	- 1,425 SF.	- 2,434 SF.	+ 1,078 SF.	TOTAL:	74 SPACES
NET IMPERVIOUS: 87,443 SF. INCREASE					

**PARKING LAYOUT**

ACCESSIBLE SPACES, 8'x18'	3 SPACES
COMPACT SPACES, 8'x15'	0 SPACES
STANDARD SPACES, 8'x18'	53 SPACES
TOTAL:	74 SPACES



**PINKHAM & CREER**  
CIVIL ENGINEERS

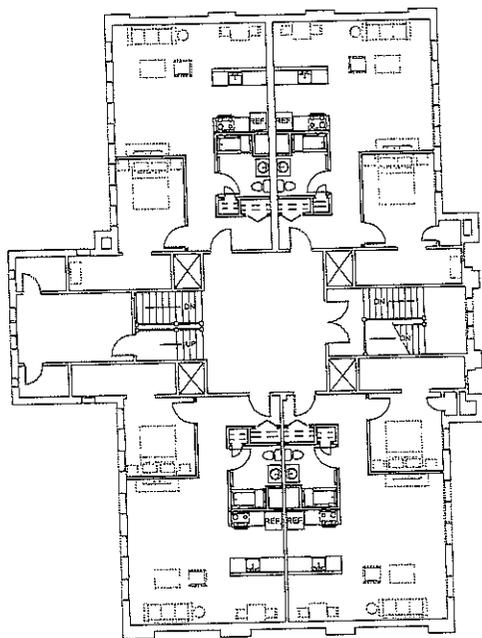
100 COMMERCIAL STREET, SUITE 414  
PORTLAND, MAINE

SCALE: 1/8" = 1'-0"

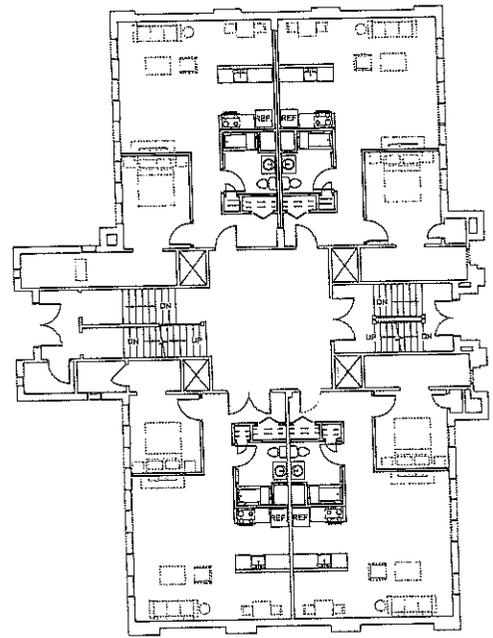
DATE: SEPTEMBER 8, 2017

PROJECT: 15124

C1.0

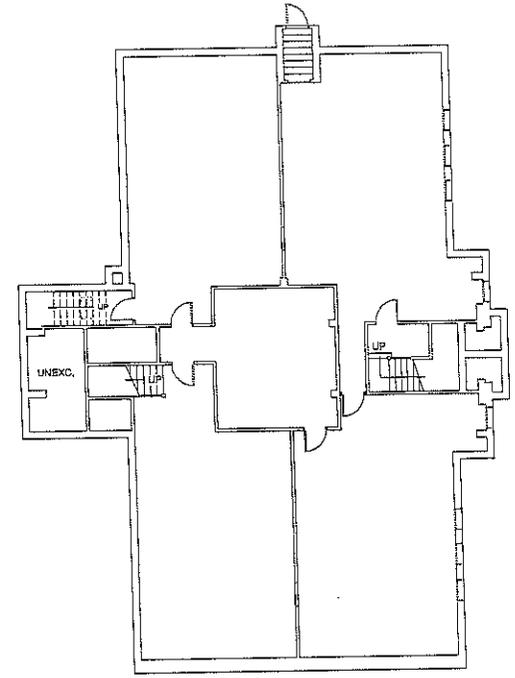


3 | 2ND FLOOR  
 1/8" = 1'-0"



APPROX. 4832 SQ. FT.

2 | 1ST FLOOR  
 1/8" = 1'-0"



APPROX. 4538 SQ. FT.

1 | BASEMENT  
 1/8" = 1'-0"

Date: _____ DATE: _____		Scale: 1/8" = 1'-0" <b>FLOOR PLANS</b>		Elevation: _____	
Project: REED SCHOOL Address: _____ City, State: _____		Architect: <b>ARCHITYPE</b> Architects 45 Union Wharf Portland, Maine 04101 5011232ARCHITYPEARCHITYPE23AUS		Consultant: _____ Owner: _____	
A1.01					

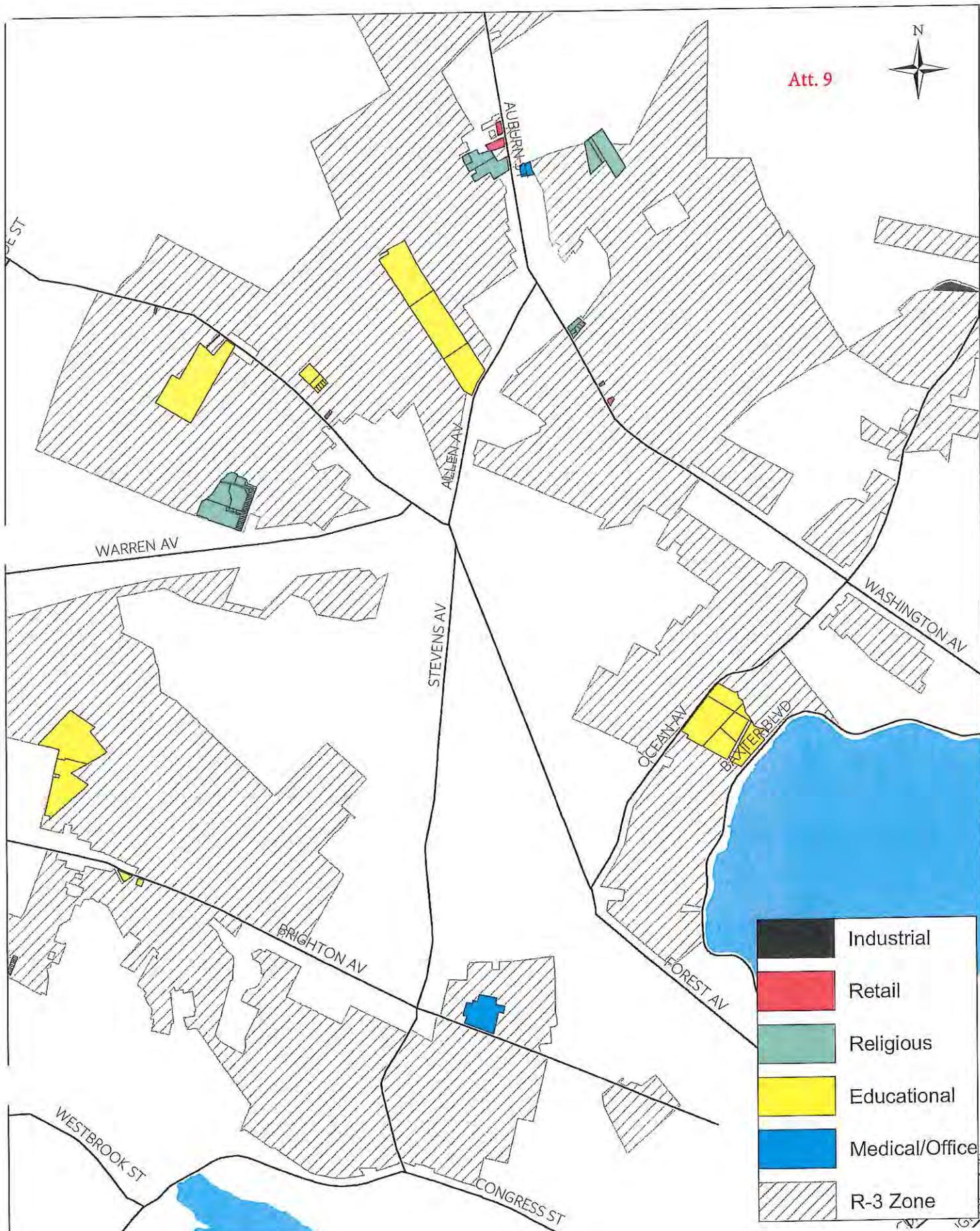
Brighton Medical Center

ADRNO	ADRSTR	LAND USE TYPE	CLASSIFICATION	ZONING	YRBLT	MULTIPLE		TOTAL SQFT	PARCEL ID
						BUILDINGS	SQFT	OF ALL	
						FOR THE	PER	BUILDINGS ON	
PARCEL	BUILDING	PARCEL ID	PARCEL ID						
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	15,153	15,153	121 C009011
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	11,676	11,676	121 C009012
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	892	892	121 C009013
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	7,291	7,291	121 C009014
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	256	256	121 C009015
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	6,560	6,560	121 C009021
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	6,335	6,335	121 C009022
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	3,202	3,202	121 C009023
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	911	911	121 C009024
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	1,670	1,670	121 C009025
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	1,295	1,295	121 C009026
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	256	256	121 C009027
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	12,803	12,803	121 C009028
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	295	295	121 C009029
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	29,226	29,226	121 C009031
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	3,547	3,547	121 C009041
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	28,492	28,492	121 C009B01
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	19,060	19,060	121 C009G01
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	2,681	2,681	121 C009G02
335	BRIGHTON AVE	Commercial Condos	Commercial Improved	R3	1956	1	840	840	121 C009G03
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	3,421	3,421	121 C009G04
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	8,970	8,970	121 C009G05
335	BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	967	967	121 C009G06

	335 BRIGHTON AVE	Commecial Condos	Commercial Improved	R3	1956	1	1,032	1,032	121	C009G07
	335 BRIGHTON AVE	Commecial Condos	Commercial Improved	R3	1956	1	1,248	1,248	121	C009G08
	335 BRIGHTON AVE	Commecial Condos	Commercial Improved	R3	1956	1	856	856	121	C009G09
	335 BRIGHTON AVE	Commecial Condos	Commercial Improved	R3	1956	1	469	469	121	C009G10
	335 BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	3,020	3,020	121	C009G11
	335 BRIGHTON AVE	Commecial Condos	Commercial Improved	R3	1956	1	2,543	2,543	121	C009G12
	335 BRIGHTON AVE	Commecial Condos	Commercial Improved	R3	1956	1	380	380	121	C009G13
	335 BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	405	405	121	C009G15
	335 BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	1,885	1,885	121	C009G16
	335 BRIGHTON AVE	Exempt Benevolent and Charitable	Exempt Improved	R3	1956	1	965	965	121	C009G17
	267 OCEAN AVE	Exempt Literary and Scientific	Exempt Improved	R3	1951	1	104,761	104,761	156	F001001
Chevrus High School	27 CAPISIC ST	Exempt Benevolent and Charitable	Exempt Improved	R3	1900	1	19,388	18,078	194	B005001
Breakwater	856 BRIGHTON AVE	Exempt Literary and Scientific	Exempt Improved	R3	1910	1	5,553	5,553	259	D001001
Breakwater	858 BRIGHTON AVE	Exempt Literary and Scientific	Exempt Improved	R3	1900	1	21,288	21,288	260	H001002
Williams Temple - Place of Worship	274 TERRACE AVE	Exempt Religious	Exempt Improved	R3	1970	1	5,390	5,390	262	B025001
Hall School	23 ORONO ST	Exempt Governmental	Exempt Improved	R3	1957	1	46,053	134,940	275	C048001
Mount Sinai Cemetery	161 HICKS ST	Exempt Religious	Exempt Improved	R3	1931	1	756	756	297	C033001
	1592 FOREST AVE	Exempt Governmental	Exempt Improved	R3	1971	1	4,654	111,408	299	D046001
Riverton School	1592 FOREST AVE	Exempt Governmental	Exempt Improved	R3	1976	2	106,754	111,408	299	D046001
Noble Barbecue - Restaurant	1706 FOREST AVE	Retail	Commercial Improved	R3	1921	1	4,368	4,368	309	G003001
Reed School	19 LIBBY ST	Exempt Governmental	Exempt Improved	R3	1925	1	33,243	33,243	338	K004001
Fortune Garden - Restaurant	1435 FOREST AVE	Multi Use Commercial	Commercial Improved	R3	1923	1	4,310	4,310	340	D004001
Portland Arts & Technology High	196 ALLEN AVE	Exempt Governmental	Exempt Improved	R3	1976	1	172,173	172,173	343	C013001
Emmanuel Assembly of God - Place of Conversent	1571 WASHINGTON AVE	Exempt Religious	Exempt Improved	R3	1969	1	11,375	11,375	374	A003001
Communications First Lutheran Church	172 AUBURN ST	Transportation	Commercial Improved	R3	1963	1	9,669	9,669	374	A005001
	138 AUBURN ST	Exempt Religious	Exempt Improved	R3	1959	1	25,011	25,011	374	AD13001
CN Brown Energy	194 AUBURN ST	Retail	Commercial Improved	R3	1960	1	1,798	1,798	374	A030001

Mercy Primary Care Center	117	AUBURN ST	Office	Commercial Improved	R3	1980	1	10,038	10,038	375 C039001
Allen Ave Unitarian Church - Place of	526	ALLEN AVE	Exempt Religious	Exempt Improved	R3	1970	1	4,847	4,847	377 F029001
Eddies Convenience Store	381	AUBURN ST	Retail	Commercial Improved	R3	1960	1	2,964	3,204	382 F002001
	381	AUBURN ST	Retail	Commercial Improved	R3	1960	2	240	3,204	382 F002001
North Deering Alliance Church - China Taste - Restaurant	1301	WASHINGTON AVE	Exempt Religious	Exempt Improved	R3	1970	1	11,168	11,168	402 A001001
	1223	WASHINGTON AVE	Retail	Commercial Improved	R3	1927	1	2,244	2,244	408 B023001
AV Access Network	1197	WASHINGTON AVE	Retail	Commercial Improved	R3	1940	1	3,346	3,346	408 D013001
Progressive Water Solutions	934	OCEAN AVE	Manufacturing	Industrial Improved	R3	1938	1	11,346	11,346	415 A004001

# Location of Non-Residential Properties in R-3 Zone





Att. 10

27 February 2018

Sean Dundon, Chair  
Planning Board  
City of Portland  
389 Congress Street  
Portland, ME 04101  
[mgrooms@portlandmaine.gov](mailto:mgrooms@portlandmaine.gov)

Chair Dundon and members of the Portland Planning Board,

Landmarks supports the proposed text amendments for the R-3 zone because they will facilitate the reuse of both the 1950s addition and the historic 1926 Reed School structure using historic tax credits. Our Executive Director of Greater Portland Landmarks, Hilary Bassett, served on the Reed School Re-Use Advisory Task Force. We think this proposed use by Developer's Collaborative reflects the public comments heard by members of the task force that identified the former school building as a vital component of the identity and character of the neighborhood.

Across our city are neighborhood landmarks that have outgrown their historic use. We think it is socially and environmentally responsible for Portland's zoning to facilitate a compatible reuse of these historic buildings, even if that use is of a higher density than the surrounding residential dwellings.

We hope that the planning board will support this project by approving the proposed text amendments this evening.

Thank you for considering our views.

Sincerely,

Julie Ann Larry  
Director of Advocacy

Cc: Matt Grooms, Kevin Bunker